

MENDIP DISTRICT LOCAL PLAN 2006-2029
PART II SITES AND POLICIES

ADDITIONAL MAIN MODIFICATIONS
TO THE PRE-SUBMISSION PLAN

FOR CONSULTATION (9th FEBRUARY TO 22nd MARCH 2021)

Introduction

This schedule contains Additional Main Modifications (AMM) to the written statement and policy maps to the Mendip Local Plan Part II 2006-2029. Following the second round of examination hearings on the Local Plan Part 2 in Nov/Dec 2020, a Progress Note was published by the Plan Inspector, Mr Mike Fox. This was published as Examination Document ED48.

ED48 makes two main sets of changes:

- (1) The inclusion of references/requirements to phosphate mitigation to reflect the Statement of Common Ground (AP22_1) agreed with Natural England in relation to the Somerset Levels and Moors RAMSAR site. There are some additional changes made since this statement was agreed.
- (2) The deletion of site RD1 in Rode – proposed through Main Modifications in 2020.

‘Track Change’ version of the Plan

Alongside this schedule, the Council have published a track change version of the Local Plan which highlights the policies, text and maps with the Additional Main Modifications listed in this schedule.

Links to examination documents

Submission and Examination Documents can be found on the Mendip website <https://mendip.gov.uk/localplanexamination>.

Section and Paragraph references relate to the Pre-Submission version of the Plan.

The modification reference number (AMMxx) should be quoted when making representations.

AMM Ref	Section /Page Pre-sub	Paragraph or Policy Table/Map	Additional Main Modification	Reason for Modification	Map Ref
Sections 1 - 9					
AMM1	Section 1 Para 1.15	Sustainability Appraisal	<p>Delete last sentence and replace with additional text in relation to the Habitat Regulations Assessment as set out below</p> <p>Habitat Regulations Assessment (HRA) is required following a European Court of Justice ruling that land use plans should be subject to an appropriate assessment of their implications for European wildlife sites and protected species. These include Special Protection Areas (SPAs) and Special Areas of Conservation (SACs) and species protected under regulation 10 of the Habitat Regulations 1994. A draft HRA was published with the draft pre-submission Plan. <i>A HRA was published alongside the Pre-Submission Plan taking account of Proposed Changes with supplementary updates associated with Main Modifications. The HRA will be updated following Natural England advice of the impact of excessive phosphates on the condition of the Somerset Levels and Moors RAMSAR. Recommendations in the HRA are reflected in proposed policy and development allocations.</i></p>	Reference to phosphate mitigation as agreed with Natural England in AP22 1	
AMM2	Section 3 Para 3.51	Table 2	<p>Table 2: Allocations in Primary and Secondary Villages</p> <p>Delete Rode RD1 from table of allocations</p> <p>Replace Table 2 as shown in Main Modifications (MM09) with table below</p>	Consequential Change from Inspectors Note ED48	

Table 2 : Allocations in Primary and Secondary Villages

Settlement	Site Name	Local Plan Part II Policy Reference	HELAA Site	Dwellings in allocated sites
Binegar & Gurney Slade	Land off Station Road	BG1	GS001	11
Butleigh	West View, Sub Road	BT1	BUT003	25
Coleford	Land s.o Recycling Centre	CL1	COLE0024	21
Coxley	Community Centre	CX1	COX0030	
Ditcheat	Land on Edge of Ditcheat	DT1	DIT008	16
Ditcheat	Land at Back Lane (*1)	DT2	DIT009	0
Draycott	Land N of Westfield Lane	DR1	DRAY004a/22	33
Mells	Park Hill House, Woodlands End	ML1	MELLS002	4
Nunney	Land at Green Pits Lane	NN1	NUNN001a	70
Stoke St Michael	Land East of Frog Lane	SS1	SSM009	30
Westbury sub-Mendip	Land S. of Roughmoor Lane	WM1	WSM006	40
				250
NE Mendip				
Norton St Phillip	Land off Mackley Lane	NSP1	NSP13/16	27
Beckington	Land off Great Dunns Close	BK1	BECK023	28
Total				55

(*1) granted permission and shown as '0' to avoid double-counting in Tables 3 and 4

AMM3	Section 3 (p18)	Table 3 and Para 3.56 and 3.59	<p>Table 3 Summary of Planned Growth 2006-2029 Changes to summary table taking into account the deletion of RD1 Replace Table 3 as shown below Updates to linked text in Paras 3.56 and 3.59</p>	Consequential Change from Inspectors Note ED48																																																																																	
<p>Table 3: Summary of planned growth 2006-2029 (*3)</p> <table border="1"> <thead> <tr> <th rowspan="2">Net Dwellings</th> <th>Completions</th> <th colspan="2">Commitments</th> <th rowspan="2">Part I & 2 Plan Allocations</th> <th rowspan="2">Other sites</th> <th rowspan="2">Planned Growth</th> </tr> <tr> <th>2006-19</th> <th>Started</th> <th>Not Started</th> </tr> </thead> <tbody> <tr> <td>Frome</td> <td>1502</td> <td>195</td> <td>294</td> <td>845</td> <td>44</td> <td>2880</td> </tr> <tr> <td>Glastonbury</td> <td>636</td> <td>142</td> <td>91</td> <td>167</td> <td>0</td> <td>1036</td> </tr> <tr> <td>Street</td> <td>803</td> <td>52</td> <td>13</td> <td>712</td> <td>0</td> <td>1580</td> </tr> <tr> <td>Shepton Mallet</td> <td>727</td> <td>5</td> <td>181</td> <td>600</td> <td>30</td> <td>1543</td> </tr> <tr> <td>Wells</td> <td>802</td> <td>312</td> <td>309</td> <td>345</td> <td>0</td> <td>1768</td> </tr> <tr> <td>Primary Villages (*2)</td> <td>750</td> <td>75</td> <td>126</td> <td>291</td> <td>24</td> <td>1266</td> </tr> <tr> <td>Secondary Villages</td> <td>386</td> <td>38</td> <td>109</td> <td>11</td> <td>0</td> <td>544</td> </tr> <tr> <td>Other villages & Countryside</td> <td>527</td> <td>113</td> <td>123</td> <td></td> <td>20</td> <td>783</td> </tr> <tr> <td>Adj Midsomer Norton</td> <td></td> <td></td> <td></td> <td>455</td> <td></td> <td>455</td> </tr> <tr> <td>Total</td> <td>6133</td> <td>932</td> <td>1246</td> <td>3426</td> <td>118</td> <td></td> </tr> </tbody> </table> <p>*1 includes sites part allocated in Local Plan Part 1 - Saxonvale (FR1) and Land west of Brooks Road (ST3) *2 Includes village sites allocated in main modifications in NE District (see Table 2) *3 delivery from allocations scheduled to commence in remaining plan period 2019 - 2029</p>						Net Dwellings	Completions	Commitments		Part I & 2 Plan Allocations	Other sites	Planned Growth	2006-19	Started	Not Started	Frome	1502	195	294	845	44	2880	Glastonbury	636	142	91	167	0	1036	Street	803	52	13	712	0	1580	Shepton Mallet	727	5	181	600	30	1543	Wells	802	312	309	345	0	1768	Primary Villages (*2)	750	75	126	291	24	1266	Secondary Villages	386	38	109	11	0	544	Other villages & Countryside	527	113	123		20	783	Adj Midsomer Norton				455		455	Total	6133	932	1246	3426	118	
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<p>3.56 The proposed allocations in this Plan provide 2,276 2,302 additional dwellings over the Plan period to 2029. Together with the remaining sites identified in Local Plan Part 1 (1,150 dwellings), the combined site allocations will provide 3,426 3,452 dwellings</p> <p>3.59 Planned growth is expected to deliver a total of 11,855 11,881 dwellings which equates to a 19% uplift over the minimum district requirement of 9,635 dwellings in the Local Plan Part I.</p>																																																																																					

AMM4		<p>Table 4a: Planned Uplift in Settlement Requirements Changes to summary table taking into account the deletion of RD1</p> <p>Replace Table 4a as shown</p>	Consequential Change from Inspectors Note ED48																																												
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AMM6		Section	Policy DP24	Amend last clause in policy DP24 All sites will be assessed on an individual basis and be subject to the same considerations as other developments with regard to access, sustainable design, ecological networks, greenbelt <i>and mitigation for effects on protected sites – including phosphates etc.</i>	Reference to phosphate mitigation as agreed with Natural England in AP22 1
Section 10 Mendip Towns					
Section 10.2 Glastonbury					
AMM7		Section 10.2	Introductory text	Insert after Para 10.2.9 <i>Glastonbury is within an area where wastewater and other water flows may have a 'likely significant effect' on the Somerset Levels and Moors RAMSAR which is in an 'unfavourable condition'. Development allocations should assess additional phosphate loading on the catchment of the designated area and a mitigation solution agreed to secure a 'phosphate neutral' position.</i>	Reference to phosphate mitigation as agreed with Natural England in AP22 1
AMM8			Policy GL1	Add new bullet point 9. • <i>9. The mitigation necessary to ensure development likely to affect the SL&M Ramsar site is 'phosphate neutral'.</i>	Reference to phosphate mitigation as agreed with Natural England in AP22 1
AMM9			Policy GL1a	Add new bullet point 10 • <i>10. The mitigation necessary to ensure development likely to affect the SL&M Ramsar site is 'phosphate neutral'.</i>	
AMM10			Policy GL2	Add new bullet point 9. • <i>9. The mitigation necessary to ensure development likely to affect the SL&M Ramsar site is 'phosphate neutral'.</i>	
AMM11			Policy GL3	Add new bullet point 9. • <i>9. The mitigation necessary to ensure development likely to affect the SL&M Ramsar site is 'phosphate neutral'.</i>	

AMM12		Policy GL4	<p>Add new bullet point 9.</p> <ul style="list-style-type: none"> • <i>9. The mitigation necessary to ensure development likely to affect the SL&M Ramsar site is 'phosphate neutral'.</i> 	
AMM13		Policy GL5	<p>Revisions to policy considerations</p> <p><u>Landscape & Ecology</u> <i>The site is adjacent to the Glastonbury Wastewater Treatment Works and within 4km of the Somerset Levels and Moors SPA / Ramsar. This will need to be taken into account in the remediation plan and its implementation. This will include managing runoff and drainage from the travellers site and employment area and the impacts of additional phosphates. Updated surveys should be undertaken to covering trees, biodiversity and presence of invasive species. The implementation plan should also include measures to maintain and enhance the biodiversity of the site.</i></p> <p><u>Phosphates</u> <i>The features of the Somerset Levels and Moors Ramsar Site are considered unfavourable, or at risk, from the effects of excessive phosphates. The remediation plan and subsequent development proposals will need to take into account the impact of additional phosphate loading of the uses proposed on designated area. A mitigation solution will need to be agreed to secure a 'phosphate neutral' position.</i></p> <p>Revisions to policy bullet point 2(e) <u>Assessment impacts from remediation and development on potential protected species (including bats) and the Levels and Moors SPA including phosphates.</u></p> <p>Add new bullet point 6.</p> <ul style="list-style-type: none"> • <i>6. The mitigation necessary to ensure development likely to affect the SL&M Ramsar site is 'phosphate neutral'.</i> 	

Section 10.3 Street						
AMM14		Section 10.3	Street Introductory text	Insert after Para 10.3.7 <i>Street is within an area where wastewater and other water flows may have a 'likely significant effect' on the Somerset Levels and Moors RAMSAR which is in an 'unfavourable condition'. Development allocations should assess additional phosphate loading on the catchment of the designated area and a mitigation solution agreed to secure a 'phosphate neutral' position.</i>	Reference to phosphate mitigation as agreed with Natural England in AP22_1	
AMM15		10.3.12	Street Introductory text	Policy ST3 has been revised to identify a Main Development Area (<i>MDA</i>) to provide a minimum of 400 dwellings. This includes the majority of the land allocated in Local Plan Part 1 and land to the north and west. This would provide additional access options to deliver the strategic site from Brooks Road or the A39 and greater certainty in deliverability. <u>It would also provide flexibility for the identified FGA to address the 'strategic-scale' open space requirement in Local Plan Part 1 and opportunities to provide mitigation for phosphates impacts. The revised MDA</u> would involve a revision to the 'green gap' identified alongside the strategic site. The remainder of the Green Gap would still provide a visual separation between Street and Walton.		
AMM16			Policy ST1	Add new bullet point 12. <i>12. The mitigation necessary to ensure development likely to affect the SL&M Ramsar site is 'phosphate neutral'.</i>	Reference to phosphate mitigation as agreed with Natural England in AP22_1	
AMM17			Policy ST2	Add new bullet point 8 <i>8. The mitigation necessary to ensure development likely to affect the SL&M Ramsar site is 'phosphate neutral'.</i>		
AMM18			Policy ST3	Under Masterplanning in policy text – under bullet point 5 <u>Identification of locations for habitat enhancement and strategic open space and phosphate mitigation</u> Under Development Requirements and Design principles add to bullet point 5		

			<p>The masterplan should demonstrate measures to enhance biodiversity with particular regard to strengthening the ecological network (woodlands and hedgerows) <i>and opportunities to provide the mitigation necessary to ensure development is 'phosphate neutral'.</i></p>	
AMM19		Policy ST4	<p>Add new section in policy text after section on Landscape and Ecology</p> <p><i>Phosphates</i> <i>The potential impact of phosphates on designated sites from the allocated uses should be taken into account in mitigating the environmental impact of the development. Mixed use or residential proposals should assess additional phosphate loading on the designated catchment and a mitigation solution agreed to secure a 'phosphate neutral' position.</i></p> <p>Revisions to policy bullet point 4</p> <p>Opportunities should be taken to maintain or enhance biodiversity, with particular regard to the protection of species on the <i>site and designated</i> wildlife sites including <i>mitigation for the impact of additional phosphates.</i></p>	
Section 10.4 Shepton Mallet				
AMM20	Section 10.4	Shepton Mallet	<p>Introductory Text Insert after Para 10.4.9</p> <p><i>Shepton Mallet is within an area where wastewater and other water flows may have a 'likely significant effect' on the Somerset Levels and Moors RAMSAR which is in an 'unfavourable condition'. Development allocations should assess additional phosphate loading on the catchment of the designated area and a mitigation solution agreed to secure a 'phosphate neutral' position.</i></p>	Reference to phosphate mitigation as agreed with Natural England in AP22 1
AMM21		Policy SM1	<p>Under Landscape & Ecology section</p> <p>The site is identified as improved grassland with no significant biodiversity issues. <i>While the site is allocated for employment uses, the potential impact of phosphates should be considered in any assessment and mitigation of environmental impacts.</i></p>	

Section 10.5 Wells					
AMM22		Section 10.5	Wells	<p>Introductory text Insert after Para 10.5.6</p> <p><i>Wells is within an area where wastewater and other water flows may have a 'likely significant effect' on the Somerset Levels and Moors RAMSAR which is in an 'unfavourable condition'. Development allocations should assess additional phosphate loading on the catchment of the designated area and a mitigation solution agreed to secure a 'phosphate neutral' position.</i></p>	Reference to phosphate mitigation as agreed with Natural England in AP22_1
AMM23			Policy WL1	<p>Add new bullet point 10.</p> <p><i>10. The mitigation necessary to ensure development likely to affect the SL&M Ramsar site is 'phosphate neutral'.</i></p>	
AMM24			Policy WL4	<p>Add new bullet point 11</p> <p><i>11. The mitigation necessary to ensure development likely to affect the SL&M Ramsar site is 'phosphate neutral'.</i></p>	Reference to phosphate mitigation as agreed with Natural England in AP22_1
AMM25		Policy WL2	<p>Add new bullet point 10</p> <p><i>10. The mitigation necessary to ensure development likely to affect the SL&M Ramsar site is 'phosphate neutral'.</i></p>		
AMM26		Policy WL5	<p>Add new bullet point 13</p> <p><i>13. The mitigation necessary to ensure development likely to affect the SL&M Ramsar site is 'phosphate neutral'.</i></p>		
Section 11 Primary and Secondary Villages					
11.4 Butleigh					

AMM27	Butleigh	Policy BT1	<p>Add new text to follow Landscape and Ecology section text</p> <p><i>The settlement is within an area where wastewater and other water flows may have a 'likely significant effect' on the Somerset Levels and Moors RAMSAR which is in an 'unfavourable condition'. Development allocations should assess additional phosphate loading on the catchment of the designated area and a mitigation solution agreed to secure a 'phosphate neutral' position.</i></p> <p>Add new bullet point 10.</p> <p><i>10. The mitigation necessary to ensure any residential development likely to affect the SL&M Ramsar site is 'phosphate neutral'.</i></p>	Reference to phosphate mitigation as agreed with Natural England in AP22_1
11.8 Coxley				
AMM28	Coxley	Policy CX1	<p>Add new text to follow Landscape and Ecology section text</p> <p><i>The settlement is within an area where wastewater and other water flows may have a 'likely significant effect' on the Somerset Levels and Moors RAMSAR which is in an 'unfavourable condition'. Development allocations should assess additional phosphate loading on the catchment of the designated area and a mitigation solution agreed to secure a 'phosphate neutral' position.</i></p> <p>Add new bullet point 9.</p> <p><i>9. The mitigation necessary to ensure any residential development likely to affect the SL&M Ramsar site is 'phosphate neutral'.</i></p>	Reference to phosphate mitigation as agreed with Natural England in AP22_1
11.10 Ditcheat				
AMM29	Ditcheat	Policy DT1	<p>Add new text to follow landscape and Ecology section text</p> <p><i>The settlement is within an area where wastewater and other water flows may have a 'likely significant effect' on the Somerset Levels and Moors RAMSAR which is in an 'unfavourable condition'. Development allocations should assess additional phosphate</i></p>	This site has a full permission for five dwellings. While this was granted before revised NE

			<p><i>loading on the catchment of the designated area and a mitigation solution agreed to secure a 'phosphate neutral' position.</i></p> <p>Add new bullet point 9 <i>9. The mitigation necessary to ensure any residential development likely to affect the SL&M Ramsar site is 'phosphate neutral'.</i></p>	<p>advice was issued, pre-commencement conditions are still to be signed off (see 2020/0950/APP Legal advice indicates the development could still be required to demonstrate mitigation.</p>
AMM30	Ditcheat	Policy DT2	<p>Add new text to follow landscape and Ecology section text <i>The settlement is within an area where wastewater and other water flows may have a 'likely significant effect' on the Somerset Levels and Moors RAMSAR which is in an 'unfavourable condition'. Development allocations should assess additional phosphate loading on the catchment of the designated area and a mitigation solution agreed to secure a 'phosphate neutral' position.</i></p> <p>Add new bullet point 9 <i>9. The mitigation necessary to ensure any residential development likely to affect the SL&M Ramsar site is 'phosphate neutral'.</i></p>	<p>Reference to phosphate mitigation as agreed with Natural England in AP22 1</p>
11.12 Draycott				
AMM31	Draycott	Policy DR1	<p>Add new text to follow landscape and Ecology section text <i>The potential impact of phosphates should be taken into account in mitigating the environmental impact of the development. However, wastewater flows from this settlement are not considered to be hydrologically linked to designated RAMSAR site.</i></p> <p>Revisions to policy bullet point 6 to read as follows</p> <p>Opportunities should be taken to maintain or enhance biodiversity and particular consideration will be needed of the impact on designated sites. 0.4ha of accessible replacement habitat <i>for bats</i> will be required on site.</p>	<p>Reference to phosphate mitigation as agreed with Natural England in AP22 1</p>
11.13 Evercreech				

AMM32	Evercreech	11.13.3	Revisions to settlement text – Greencore site Add the following sentence to the para. <i>A mixed-use proposal including residential development will need to include phosphate mitigation.</i>	Additional text necessary to address a mixed use development on the site
11.23 Rode				
AMM33	Rode	11.23.5 & 11.23.6	Delete last sentence of 11.23.5 and 11.26 (include allocation) Site Allocations 11.23.5 Rode is identified in Local Plan Part I as a Primary Village with a minimum housing requirement of 65 dwellings in Policy CP2. Completions and committed development in the plan period to date total 79 dwellings, an 18% increase to dwelling stock. Given the level of growth above minimum requirements, no sites were allocated in this village in the submission plan. Following examination hearings, additional allocations are necessary to make the plan sound, specifically to address the requirement in Policy CP2 to provide 505 dwellings located adjacent to Midsomer Norton and Radstock and in settlements in the north/northeast of the district. 11.23.6 A need was identified in the Rode Neighbourhood Plan for specialist housing for older people. The plan notes that the availability of suitable housing is more important for pensioner households in the village than affordability. The plan seeks to provide specialist housing for older people within their existing community. Specialist housing includes dwellings adapted for use by the less mobile and wheelchair users, sheltered housing with or without a warden and extra care accommodation. No specific site was identified in the Neighbourhood Plan for this provision but Policy 2 identifies Merfield House and outbuildings as a potentially suitable locations. A site is now identified within the grounds of Merfield House to deliver this provision. <ul style="list-style-type: none"> • Land off The Mead is allocated for residential development subject to Policy RD1 	Follows Inspector’s recommendation in ED48 to delete RD1

			Re-number Paras 11.23.7 to 11.23.10	
AMM34			Rode – Changes to Policies Map Delete site RD1 from the Plan and replace with new settlement plan - see end of document at p.19.	Follows Inspector’s recommendation in ED48 to delete RD1
AMM35		RD1	<p>Policy RD1 - Land off the Mead Road Delete Policy</p> <p>RD1: Land off The Mead, Rode [MM123] (HELAA Site RODE017)</p> <p>Context The site is a greenfield site of 1.45 ha consisting of an agricultural field. It lies south west of The Mead and the southern end of High Street. The site adjoins development limits and the Conservation Area boundary. There are 2 grade 2 listed buildings in proximity to the site and the land is within the grounds of Merfield House, which is listed Grade 2*. Merfield Lodge is immediately adjacent to the site. The “made” Rode neighbourhood Plan identifies a need for housing suitable for elderly people, and identifies the environs of Merfield house as a suitable location. It does not, however, allocate a site.</p> <p>Highways Road access could be achieved via Straight Lane and/or The Mead. Straight Lane has direct access onto the A36, but there is no access into Rode at this junction.</p> <p>Landscape & Ecology The site is on lower ground at the edge of the village, before the landform sweeps upwards towards Merfield House. The design of a new development would need to be carefully considered and the landscape setting of Merfield House protected. Appropriate mitigation measures put in place to minimise any negative impact on the wider landscape. There are no known ecology issues specific to the site. Rode lies in the outer consultation zone of the Mells Valley Bat SAC and appropriate mitigation measures will be required.</p>	

		<p>Heritage The site is adjacent to the Conservation Area. There are listed buildings close to the site to the east and it is within the grounds of Merfield House. Historic England have commented that the site is sensitive due to proximity to the Grade II* listed Merfield House and the Conservation Area. Due consideration of the significance and setting of these assets is required to inform principle and design.</p> <p>Flood Risk / Drainage Infrastructure No known flooding issues. Further details needed on any improvements are needed from Wessex Water.</p> <p>Policy RD1: Development Requirements and Design Principles</p> <ol style="list-style-type: none"> 1. A minimum of 26 dwellings, making provision for affordable housing in line with relevant policies. 2. Housing suitable for older people as identified in the “made” Rode Neighbourhood Plan should be provided. This could include dwellings adapted for use by the less mobile and wheelchair users, sheltered housing with or without a warden and extra care accommodation 3. The design should protect and enhance the adjacent Conservation Area and protect the setting of the nearby listed buildings, including Grade2* Merfield House. 4. Have particular regard to site layout, building height and soft landscaping, to minimise the visual impact of the development and to respect the rural character of the locality. 5. New development should reflect the local materials and style. 6. The site should be designed to safeguard the amenity of neighbouring residential properties. Particular regard should be had to Merfield Lodge. 7. Opportunities should be taken to maintain or enhance biodiversity in any scheme. Provisionally 0.08 ha of bat replacement habitat should be included within the development site alongside any other required mitigation measures. 8. A financial contribution may be required to mitigate the demand on education capacity 	
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			Policy RD1: Site Map Plan – delete	
11.27 Westbury sub Mendip				
AMM36	Westbury sub Mendip	Policy WM1	<p>Add new text to follow Landscape and Ecology section text</p> <p><i>The potential impact of phosphates should be taken into account in mitigating the environmental impact of the development. However, wastewater flows from this settlement are not considered to be hydrologically linked to designated RAMSAR site.</i></p> <p>Revisions to policy bullet point 5 to read as follows</p> <p>Opportunities should be taken to maintain or enhance biodiversity <i>and particular consideration will be needed of the impact on designated sites.</i> 0.27 ha of accessible bat habitat should be provided.</p>	Reference to phosphate mitigation as agreed with Natural England in AP22_1

AMM34

Rode

Local Plan Part II - Changes to Adopted Policies Map
Plan shows Local Green Spaces in the Rode Neighbourhood Plan

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