

Please complete the various sections of the form below as appropriate and return to the Head of Development Services.

Name of Parish/Town Council	CANNINGTON PARISH COUNCIL
Application Reference	13/19/00043
Location	Land off, Oaktree Way, Cannington, Bridgwater, Somerset, TA5

	Tick if appropriate
This Council has no observations to offer.	
This Council opposes this proposal on the following valid planning grounds	✓

1. Context

- 1.1. We are responding to the outline planning application submitted by Gladman Developments Ltd at land off Oaktree Way, Cannington for the “demolition of Denman's Farmhouse and associated agricultural buildings and the erection of up to 165 dwellings, with public open space, structural planting and landscaping, surface water flood mitigation and attenuation, land for a community building and associated parking and vehicular access point from Oak Tree Way. All matters reserved except for means of vehicular access.”
- 1.2. While our Neighbourhood Plan has not been adopted (or “made”) part of the statutory development plan for the parish and it cannot be expected to be given the substantial weight accorded to the current development plan for the District , the evidence base and consultation responses which have been received have shaped the emerging Plan, which is close to its formal Regulation 14 pre-submission consultation. This evidence base and consultation responses therefore represent the basis on which the Parish Council make the following representation.
- 1.3. Despite the application proposing creation of a riverside walk and land for the development of a community hall and associated parking and a contribution of £250,000 towards its construction, we **object in the strongest possible terms** to the proposal based on the concerns set out in this response.

2. Key Local Plan policies of relevance

- 2.1. We consider that the key adopted Local Plan policies of relevance are as follows and reproduce them in this response for ease of reference for our parish community.

Policy T2a

Tier 2 Settlements - Housing

Housing proposals for redevelopment, infill, subdivision and conversion within existing settlement boundaries will be supported where it is appropriate to the scale, design and character of the existing community.

Excluding existing commitments as at April 2015 the Tier 2 settlements should plan to accommodate the following minimum levels of growth:

Table 5.1

Settlement	Minimum housing to allocate	Total Minimum Growth 2011-2032 (including completions existing commitments and opportunities within settlement boundaries as of April 2015)
Axbridge	70	74
Cannington	150	163
Nether Stowey	50	75
Puriton	100	163
Wedmore	50	116
Woolavington	150	225
Total	570	816

In the interim until sufficient sites to meet at least the minimum levels of growth set out in Table 5.1 are either identified in a neighbourhood plan or allocated in a subsequent allocations document, proposals outside of the settlement boundaries that meet all of the following criteria will be supported:

- Sites should normally be identified as opportunity sites within the Council's Strategic Housing Land Availability Assessment (updated annually);
- The scale of development should be appropriate to the size, accessibility, character and physical identity of the settlement taking into account the minimum levels of growth above;
- The development should be well related to and complement the existing built form of the settlement, providing opportunities for walking and cycling to local services and facilities;
- Development that is likely to have a significant transport impact will be supported by appropriate assessments as referred to under Policy D14;
- Support where appropriate access to local job opportunities, including retention of existing local job opportunities as well as on-site provision;
- Contribute to local infrastructure including education, service provision, accessible open space and community facilities;
- Maintains and where appropriate incorporates enhancements to the local environment, landscape, and historic environment, including where appropriate habitat creation and community woodland planting;
- Provide affordable housing in accordance with the Council's requirements.

Meaningful and robust engagement and consultation with local stakeholders including Parish or Town Councils will be encouraged.

Policy D13

Sustainable Transport and Movement

Travel management schemes and development proposals that reduce congestion, encourage an improved and integrated transport network and allow for a wide choice of modes of transport as a means of access to jobs, homes, leisure and recreation, services and facilities will be encouraged and supported.

Proposals will:

- Support the travel improvements identified in the Somerset Future Transport Plan (transport policies, implementation plan and modal strategies), Infrastructure and Delivery Study and Sedgemoor Transport Strategy (when published);
- Be compatible with the existing transport infrastructure or, if not, provision shall be made where necessary for improvements to infrastructure to enable development to proceed;
- Contribute to reducing adverse environmental issues, including air, light and noise pollution, vibration and surface water run-off, through appropriate mitigation measures, including tree planting along road corridors for shade, amenity and air quality;
- Enhance road and personal safety;
- Enhance the facilities for pedestrians, cyclists, those with reduced mobility and other users;
- Develop innovative and adaptable approaches that deliver higher quality and accessible public transport options;
- Encourage efficient, safe and sustainable freight transport; and
- Be resilient to climate change.

Policy D14

Managing the Transport Impacts of Development

Development proposals that will have a significant transport impact should:

- Be supported by an appropriate Transport Assessment, Air Quality Assessment, Noise and Vibration Assessment and Ecological Surveys where there are significant implications;
- Engage at an early stage with relevant bodies such as the Local Authority, Somerset County Council, Highways England and Network Rail regarding the proposal and scope of supporting information required;
- Include an appropriate Travel Plan outlining how the development will manage transport impacts and encourage more sustainable modes of travel;
- Ensure provision is made for inclusive, safe and convenient access for pedestrians, people with disabilities, cyclists and users of public transport that addresses the needs of all;
- Provide safe access to roads of adequate standard within the route hierarchy;
- Ensure that the expected nature and volume of traffic and parked vehicles generated by the development would not compromise the safety and/or function of the local or strategic road networks in terms of both volume and type of traffic generated;
- Comprehensively address the transport impact of development and appropriately contribute to the delivery of the necessary transport infrastructure;
- Not prejudice existing and new safeguarded transport infrastructure (sites and routes) as shown on the Local Plan Policies Map;
- Enhance and develop rights-of-way as a means of managing transport impacts of development and should not reduce the convenience and safety of existing rights-of-ways, bridle paths and cycle paths, unless suitable alternative routes are provided;
- Ensure car parking and vehicle servicing at levels appropriate to the development and in accordance with the parking standards detailed within the Somerset County Council Parking Strategy; and.
- Adequately assess and provide any required improvements to level crossings where development may result in a material increase in pedestrian and/or vehicular use of a level crossing, in consultation with Network Rail.

Policy D19

Landscape

Development proposals within the Mendip Hills AONB, the Quantock Hills AONB or on undeveloped coast will only be supported where they conserve and enhance the natural beauty, or the exceptional character or quality of the landscape in these areas. Development within the setting of an AONB that has the potential to harm the character and visual amenity of the protected landscape will only be supported if that potential harm can be negated through appropriate and acceptable mitigation measures.

Elsewhere in the district proposals should ensure that they enhance the landscape quality wherever possible or that there is no significant adverse impact on local landscape character, historic landscape, scenic quality and distinctive landscape features as identified in the Sedgemoor Landscape Assessment and Countryside Design Summary. In particular through:

- Siting and landscaping that takes account of visibility from publicly accessible vantage points;
- The form, bulk and design of buildings having proper regard to their context in respect of both the immediate setting and the defining characteristics of the wider local area;
- Protecting and enhancing natural and historic features which contribute to the distinctive character of the district's landscape, such as trees, woodlands, hedgerows, soils, rivers/river corridors, ditches, open space, archaeological remains and rural buildings; and
- Taking account of the predicted long-term impacts of climate change on landscape.

A Landscape and Visual Impact Assessment (LVIA) should accompany planning applications where it is judged that the landscape and visual amenity may be adversely affected by the proposed development and it is considered necessary to understand the likely effects as part of the appraisal of the development. This is to understand both the significance of and the effects of change on the landscape (as an environmental resource) and/or on visual amenity. In undertaking LVIA's reference should be made to information in relevant National Character Area profiles and the Sedgemoor Landscape Assessment and Countryside Design Summary.

Where development is necessary and could result in significant adverse effects on the landscape and on visual amenity, appropriate mitigation measures should be provided. Where a significant adverse effect cannot be avoided or markedly reduced through mitigation, then opportunities to offset, remedy or compensate for unavoidable effects will be a requirement.

Policy D31

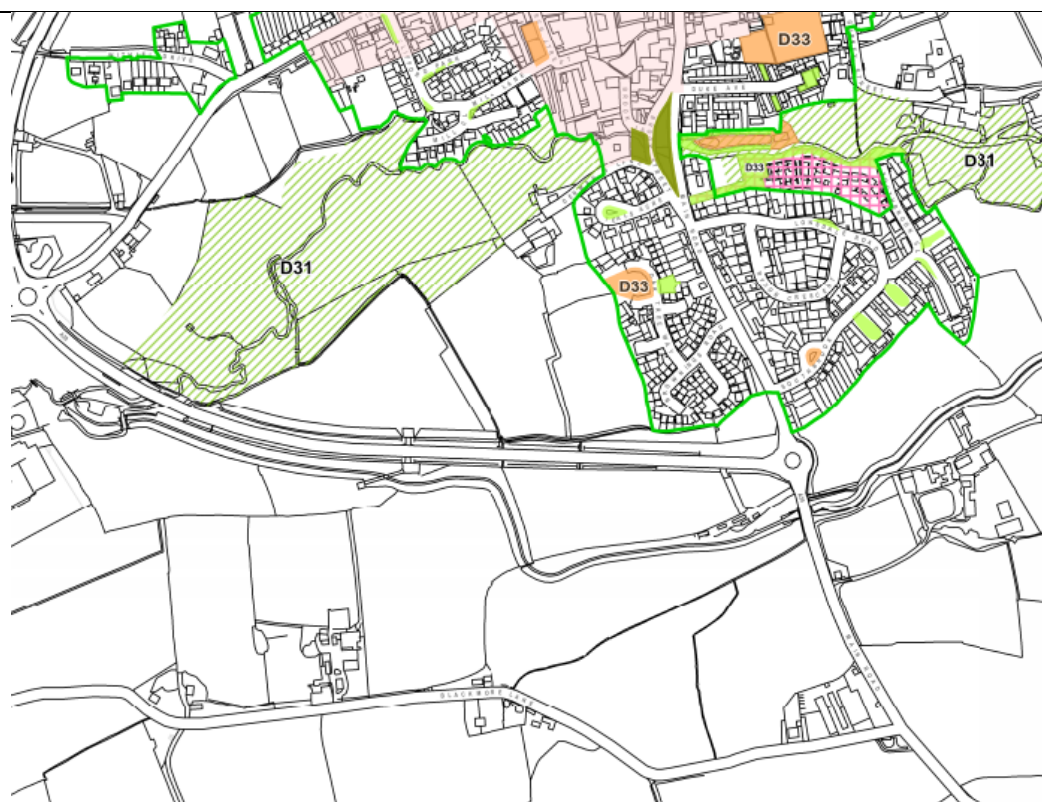
Countryside around Settlements

Areas of land which have particular importance as 'Countryside around Settlements' are defined on the Policies Map. Whatever their individual character and function, these are predominantly open areas, outside settlement boundaries, which retain a largely rural character and appearance. Development which does not have a detrimental effect on the landscape, countryside access, amenity, or nature conservation functions of these areas will be supported.

For sites not allocated within the Local Plan, development within the designated areas will be justified where the proposal is consistent with the other policies in the Local Plan and meets the following objectives:

- Provide hedgerows, trees and woodland which are important in helping to absorb the development into its surrounding landscape;
- Maintain a pattern of development which retains links with the surrounding countryside;
- Protect and enhance approach routes and perceptions of a settlement (where applicable);
- Prevent the coalescence of adjacent settlements (where applicable); and
- Protect and enhance significant views (where applicable).

For allocated sites that fall partly within areas of 'Countryside Around Settlements' the Council will consider the above objectives as part of the required Development and Design Principles documents, to ensure they are appropriately addressed.



Sedgemoor
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Date: 02/2019

Scale: 1:8,000 at A4

Recreation, Leisure and Tourism		
Strategy	Formal Recreational Outdoor Space (Policy D33)	Countryside and Open Areas
Settlement Boundary	Informal Recreational Outdoor Space (Policy D33)	Countryside around Settlements (Policy D31)
For Information		
Land committed for development:		
Residential development (significant sites only)	Historic Environment	
	Areas of High Archaeological Potential (Policy D26)	

Policies map extract taken from the adopted Local Plan at https://www.sedgemoor.gov.uk/media/6091/Policies-Map-Inset-Maps-6-to-13/pdf/Policies_Map_-_Inset_Maps_6_to_13.pdf?m=636867841856370000 Key extracts taken from the adopted Local Plan at https://www.sedgemoor.gov.uk/media/6095/Policies-Map-Key-and-Map-Index/pdf/Policies_Map_-_Key_and_Map_Index.pdf?m=636867843069630000

3. Housing

3.1. Principle of development

- 3.2. We are not, as a parish council, opposed to development taking place in the village, which we recognise in our emerging Neighbourhood Plan in the light of the current policy position in the adopted Local Plan with Cannington identified as a Tier 2 settlement. However, there has been significant strength of feeling expressed during the public consultation development of the Neighbourhood Plan that any major development should take place in the right locations on the edge of the settlement boundary; locations which do not compromise, erode or adversely affect the setting of the village. This includes the concerns that the bypass does not form, automatically, the default settlement extent; with land between the settlement boundary and the bypass simply being “filled in” by development. We consider that the presence of the temporary park and ride used for the Hinkley Point C development does not imply that the rural pasture area surrounding it and between the site and the edge of the settlement boundary should be given over to development.

3.3. Scale of development

- 3.4. We object to the scale of development proposed on the site. Policy T2a of the Local Plan requires a minimum of 150 dwellings to be provided outside the settlement boundary within the plan period (2011-2032). While the proposal is for up to 165 dwellings on this single site, only exceeding the Local Plan minimum by 10% (15 dwellings), we understand from the latest District Council data that of the 150 minimum, 89 dwellings have already come forward in the plan period (from the Otters Brook and Grange Farm developments of 16 and 73 dwellings respectively) and therefore, the residual minimum to be provided is 61 dwellings. We accept that a 10% increase on the Local Plan's minimum requirement (i.e. 15 additional dwellings over the 150 minimum) could be acceptable (albeit over the longer term of the plan period to 2032). However, over and above commitments and completions, the application proposes 104 dwellings more than the remaining residual required, representing 69.3% more dwellings than the Local Plan's minimum requirement. If the proposed Gladman development of 165 dwellings was to receive permission, adding the number of additional new dwellings from the developments at Otters Brook and Grange Farm equates to 254 dwellings, representing growth of almost 27% above the existing number of dwellings in the village. This is not a justifiable appropriate rate or quantum of change in the village, particularly in this early part of the Local Plan period. Policy T2a requires development which is not an allocation in a development plan to be of a scale which is "appropriate to the size, accessibility, character and physical identity of the settlement taking into account the minimum levels of growth" identified in the policy. This proposal does not meet that essential requirement.
- 3.5. Paragraph 1.2.2 of the Planning Statement accompanying the application states that there are no commitments contributing to the 150 minimum target in policy T2a. This is simply not correct and so the assumption on which much of the justification for the scale of development has been made is fundamentally wrong, as is the statement in paragraph 1.2.3 which states in conclusion that the proposal should be approved without delay given that it is in accordance with the development plan. It is very clearly not.
- 3.6. In addition, there is no evidence that Sedgemoor District is failing to meet housing delivery targets and the Council's last 5-year housing land supply report (see <https://www.sedgemoor.gov.uk/article/1260/Five-Year-Housing-Land-Supply-2018-to-2023>) confirms that the District has a 5-year land supply. There is, therefore, no justification for a departure from Local Plan policy or an urgent need to deliver housing numbers well in excess of minimum targets so early in the Plan period.
- 3.7. Paragraph 5.165 of the Local Plan states that "Whilst stated as a minimum, any specific proposal or combination of proposals that significantly exceeded this would need to demonstrate there were no significant adverse impacts." From the information submitted alongside the application, it does not demonstrate that there are no adverse impacts likely as a consequence (see other comments in this response).

4. Highways, Access and Transport

- 4.1. The comments which follow in relation to highways, access and transport concerns are framed without sight of a full response to the proposal by the Highways Authority which, at the time of drafting this response was not available online. We request that the application is not determined in the absence of comments from the Highways Authority and once received we

would like the opportunity to consider them and add further comments to this response as a result if necessary.

- 4.2. We also support the recommendation in the Highways England response that “Highways England recommends that application reference 13/19/00043 not be granted for a period of 3 months from the date of this recommendation to enable further [transport] assessment work. This will allow Highways England to understand the impact of the development on the safe and efficient operation of the Strategic Road Network and provide the Local Planning Authority with fully informed advice.”
- 4.3. We are concerned about the absence of a Construction Management Plan to identify how construction traffic will access and exit the site safely given the evident site access constraints highlighted in Somerset County Council Highways pre-application advice to the applicant’s agents
- 4.4. We are concerned about the single point of access to the new houses via Oak Tree Way, a road which is currently not of sufficient standard or width to accommodate the potential traffic movements into and out of the new development. Our concerns are also highlighted in the Transport Assessment through the authors highlighting the Highways Authority comments on the issue. Despite the Transport Assessment’s attempts to justify the width of the access road being sufficient to support the proposed development plus the existing dwellings, we agree with the Highways Authority comment in the Scoping Report to the applicant’s transport consultant and quoted in paragraph 4.2.4 of the report that “*...the proposed access junction onto the site at Oak Tree Way shows a relatively narrow layout of 5 metres and narrow Radii for large vehicles to turn. Somerset County Councils Estate Roads Guidance and the layout indicates that Oak Tree Way appears to be proposed for use as a Type 4i Access Road. As such it is suitable to serve only up to 100 dwellings. It is not thought that the current carriageway width of 5 metres is suitable for a large increase in traffic; particularly once the use of the road by heavy vehicles and the effective road width (accounting for on-street parking) is considered*” A road width of 5m is unlikely to be practical. The image reproduced from Manual for Streets at paragraph 4.2.14 suggests that a minimum 5.5m road width would be required for 2 HGVs to pass. Despite the quoted infrequent occurrence of this happening it only needs to take place once for it to be a serious issue and risk to highway safety, particularly given the risk of HGV mounting the pavement to avoid each other and thus putting pedestrians at unnecessary additional risk. On-street parking by residents would compound any problems encountered and with increasing levels of home deliveries from internet based shopping the frequency of larger vans and HGVs entering the new development seems likely to be more frequent than suggested by the Transport Assessment.
- 4.5. Paragraphs 4.2.3 to 4.2.5 appear to be critical of the Highways Authority’s use of the “Estate Roads in Somerset – Design Guidance Notes” as guidance. However, despite the date of its publication, we understand that the Planning Inspectorate has previously held on a number of occasions that this guidance has been held to be valid.
- 4.6. We could find no detailed proposals with regard to access to the proposed land for a new community hall. The suggested contribution of land and funding towards a new hall in this location is not acceptable until such access arrangements are known and approved by the Highways Authority. We could find no assessment of the ability of the existing access route to Denman’s Farm, where it is proposed that the new facility would be developed, or of the immediate road network to accommodate this additional community use.

- 4.7. We could find no reference in the Transport Assessment to an assessment of the ability of the new development's access and road network being able to accommodate agricultural vehicles, or to the type of vehicles expected to be able to gain or require access at the access points illustrated on the development framework plan on the northern boundary of the development area.
- 4.8. We are also concerned about the impact of additional vehicles causing parking capacity issues at services and facilities such as the school and GP surgery and the inability to accommodate additional numbers of patients and school children such a large development would generate. We fully endorse the implications of this development as per Somerset County Council's response ref SDC/2019/009116 dated 2.10.19.

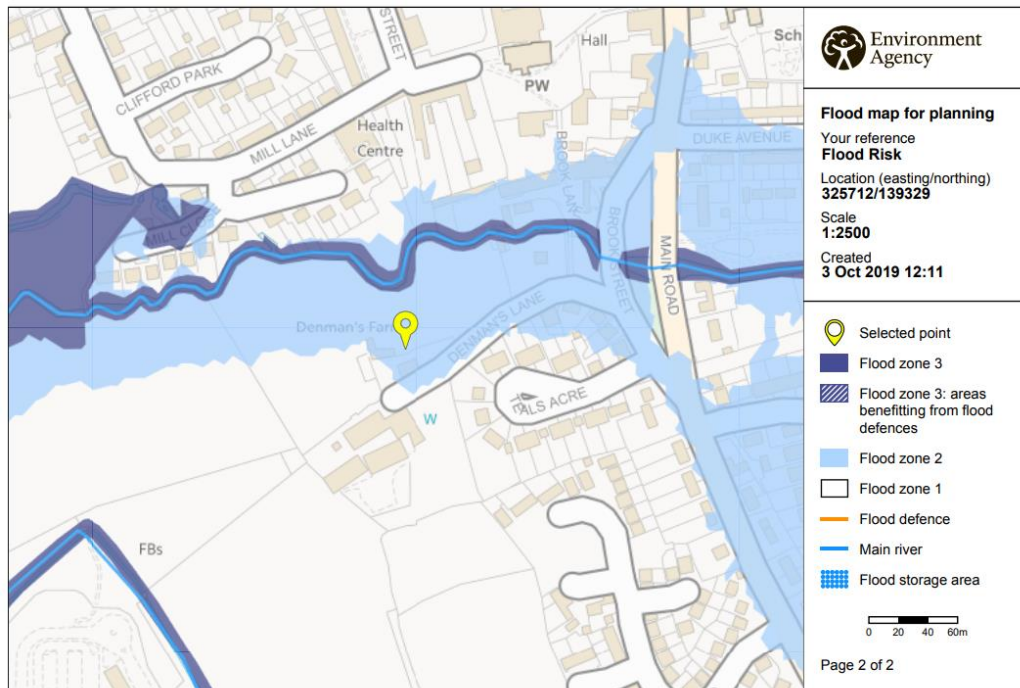
5. Landscape and Countryside Character

- 5.1. Local Plan policies seek to prevent adverse impact on the countryside and to the character of the landscape. Policy D31 "Countryside around Settlements" designates the northern part of the application site and the land to the west and adjacent to the application area (and under the same land ownership) as an area of land subject to the protection enabled by this policy. Part of the area of land which it is proposed would be provided for the construction of a community hall lies within this area and would therefore be contrary to policy.
- 5.2. During consultation on the development of the Neighbourhood Plan, we asked residents on their views of areas of landscape which are important within the village and to its setting, on the edge of the settlement's built extent. The land between the bypass and the existing development edge of the village is highly visible within the local landscape and it was considered by respondents to the consultation that this wider landscape setting plays an essential role in defining the character of the village. The Parish Council therefore has a very strong preference for development proposals to be delivered in alternative locations on the edge of the village rather than in-filling the area of separation between the village and bypass.
- 5.3. Having considered the Landscape and Visual Appraisal report which accompanies the application, it appears that the assessment has been prepared to justify the development proposal. Paragraph 1.1 of the report states this clearly. The appropriate approach, however, is to undertake a Landscape and Visual Capacity Assessment to inform the consideration of suitability of development on the site and the ability of the landscape (or not) to accommodate development. The Appraisal is therefore fundamentally flawed.
- 5.4. Further, given the open nature of the landscape in this location, a local desire to protect and enhance the landscape setting of the village, the lack of detail about the proposal (such as masterplan or site layout drawings and design features of the scheme) and its position and design within the landscape, and lack of a landscape assessment used to *inform* the proposal, we suggest that a Landscape and Visual Impact Assessment (LVIA) should be submitted for the proposal to meet the requirements of Local Plan policy D19 "Landscape". The Sedgemoor Landscape Assessment and Countryside Design Summary Supplementary Planning Document should be used to inform such an assessment.

6. Flood Risk

- 6.1. Much of the area suggested for the proposed community hall is within Flood Risk Zone 2 according to Environment Agency Flood Mapping online (see <https://flood-map-for->

planning.service.gov.uk/ and reproduced map and accompanying advice from the site below). This site is not therefore suitable for this proposed facility without demonstrating that the risk of flooding has been mitigated satisfactorily.



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Flood map for planning

Your reference
Flood Risk
 Location (easting/northing)
325712/139329
 Created
3 Oct 2019 12:11

Your selected location is in flood zone 2, an area with a medium probability of flooding.

This means:

- you must complete a flood risk assessment for development in this area
- you should follow the Environment Agency's standing advice for carrying out a flood risk assessment (see www.gov.uk/guidance/flood-risk-assessment-standing-advice)

Notes

The flood map for planning shows river and sea flooding data only. It doesn't include other sources of flooding. It is for use in development planning and flood risk assessments.

This information relates to the selected location and is not specific to any property within it. The map is updated regularly and is correct at the time of printing.

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<https://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/>

- 6.2. The western and southern boundaries of the site where housing development is proposed follow the line of a watercourse and flood risk mapping identifies these as corridors in flood zone 3. While Gladman may claim that mitigation and the location of housing would mean that this is not an issue, we remain concerned about the proximity of proposed development to this area of risk.

- 6.3. The Environment Agency response to the application (not available online at the time of drafting this response) will be crucial to determination of this application.

7. Environment and Ecology

- 7.1. Cannington is within the Bridgwater Bay Special Site of Scientific Interest (SSSI) Risk Zone within which planning applications should be assessed for likely impacts on SSSIs (see <https://magic.defra.gov.uk/MagicMap.aspx>).
- 7.2. We note the response from the Ecology officer at the County Council which includes an identified need for a Habitats Regulation Assessment (HRA) and that bat surveys of the site are not yet complete and that dormouse surveys will not be finished until May 2020. We would suggest, therefore, that determination of the application with the current level of information available on ecology issues would be premature. Quite simply speaking, the application should not even have been submitted until these surveys had been completed.

8. Engagement and consultation with the community

- 8.1. Local Plan policy T2a encourages “meaningful and robust” engagement and consultation with the community. Despite the submission of a Statement of Community Involvement (SCI) as part of the application, we do not consider the engagement undertaken prior to submission of the application as either meaningful or robust. The mechanisms and methods used set out in the SCI are considered a tick box exercise undertaken as a minimum, rather than a real attempt to properly engage. The letter from Gladman to the parish council on 16th July 2019 (see Appendix A of the SCI) invited Councillors to a meeting which the letter states would be a “closed meeting”. A closed meeting is not and cannot, in our view, represent community consultation or engagement despite the Parish Council’s role of representing the residents of the parish. While this initial contact was, of course welcomed, in response to this, the parish council invited Gladman to attend an open parish council meeting so that members of the community could see and hear about the proposals ‘at first hand’ from the proposers of development and ensure that the process and dialogue is transparent. This should have been the minimum local engagement that Gladman should have undertaken alongside what is stated in the SCI if the promoter truly intends for the proposal to be a positive addition to the village for both its residents and its built and environmental character. Such engagement could have provided the proposers with an opportunity to shape the proposal positively and overcome concerns based on the fullest possible opportunity for the community to express their views, but the opportunity was turned down, a genuine opportunity for meaningful community engagement missed. While consultation leaflets were distributed over a 3-day period from 15th August 2019, only responses received to 23rd August were considered by Gladman. This does not even match up to the average three-week consultation period the local planning authority grant to residents when a fresh application for planning permission is received.

If our observations coincide with those of the Group Manager, in accordance with the delegation scheme, we accept that the application will not be reported to the Development Control Committee unless one of the other exceptions in the delegation scheme apply.

✓

Signed:
Aly Prowse
Deputy Clerk to Cannington Parish Council

Date: 10.10.19