

# Creech St Michael Parish Council

A Parish to be *Proud of*

Date: 9<sup>th</sup> March 2023

**REF: 14/23/0002**

Planning Officer: Darren Roberts

Dear Darren,

**Application for Outline Planning with all matters reserved, except for access, for the erection of up to 100 No. dwellings with public open space, landscaping, sustainable drainage system (SUDs) and vehicular access on land at North End, Creech St Michael.**

At a meeting of Creech St Michael Parish Council held on the 6<sup>th</sup> of March 2023 , in the presence of 10 members of the community, the planning application reference 14/23/0002 was considered and the following is the response of Creech St Michael Parish Council.

## Summary of our Response to the Application

**The Parish Council has no objection or comments**

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**The Parish Council has no objection, subject to the comments**

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**The Parish Council objects in principle**

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**X**

**The Parish Council objects as the application is not acceptable in its current format**

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## Comments

**Objection 1: The proposal goes against the Council's adopted Development Strategy & Framework:**

A previous planning application was submitted in 2017 (14/17/0033) which was refused in April 2018 and dismissed at appeal in March 2019 (Ref APP/D3315/W/18/3205705). The planning inspector acknowledged the presence of traffic routes and urban features within the area and agreed that the land was assessed as Medium Landscape Value.

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Additionally, the previous application was also refused due to the site being outside of the defined settlement limits of Creech St Michael, resulting in an unplanned extension of the village. It acknowledged that the site's walking distances to key facilities within the village would not be sustainable and would hinder sustainable development aims. The Site is in fact situated within Green Wedge land as identified in the CSM Neighbourhood Plan which was adopted in 2019.

National Planning Policy Framework July 2021 states that its key objective is to provide a policy to protect and enhance the countryside and green infrastructure. The Green Wedge as identified in the 2018 - 2028 CSM Neighbourhood Development Plan and should therefore be protected not built upon.

Local Development Framework (LDF) & Taunton Deane Core Strategy (adopted 2012) core policy restricts development that would harm the interests of towns and rural centres and aims to conserve and enhance the natural and historic environment.

The land itself is designated Local Green Wedge in the CSM Neighbourhood Development Plan 2018 – 2028, adopted 2019, and as such has the protection of the Localism Act 2011 as it has achieved Asset of Community Status. Currently the land is prime agricultural land. It is not designated as residential land.

The Landscape & Visual Appraisal submitted by Gladman, also acknowledges these facts and states at 8.7 that the proposed development will result in some adverse effects on the local landscape and visual receptors in close proximity to the site.

Regarding the supply of housing the inspector considered that TD's delivery rates were healthy and that there was a sustainable pipeline of identified suitable sites to meet the 5 year supply. Additionally, an application has recently been approved for 28 dwellings within the village (ref 14/21/0024).

The Levelling up & Regeneration Bill, currently going through Parliament, now suggests guidance rather than target figures.

CSM is a Minor Rural Centre (MRC) as defined under the TD Core Strategy 2011 – 2028 (adopted 2012). This designation has not changed and as such the scale of the proposed development is not in keeping with this designation as additional development has already reached the capacity for such a village. Creech St Michael has already provided c.150 dwellings in the village from a requirement of 250 dwellings in 5 Minor Rural Centres. With an additional 100 dwellings in this location the local infrastructure would be incapable of supporting educational, medical & social needs.

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This site did not and still does not form part of the identified land for residential development under TD Site Allocations & Development Management Plan 2016, (SADMP). The former development proposal was considered unsuitable due to the additional pressure on local services and inability to cope with such an unplanned extension of the village. It is therefore in contradiction with TD Core Strategy policies SD1, CP1, CP4, CP6, CP8, SP4, DM1 & DM2. There are no material considerations that would outweigh these significant and demonstrable harms or the fundamental conflict with the Development Plan. The proposal does not fulfil the requirements for Sustainable Development as set out in SD1 and the National Planning Policy Framework 2012. The site is valued for its own intrinsic sake as part of the countryside surrounding the village and should therefore be protected from sporadic unplanned development.

The new application states that Taunton Deane Borough Council cannot demonstrate a 5-year housing land supply. However, given that Taunton has now been designated a Garden City and that in excess of 10,000 houses have or are to be built, degrading the outlying villages of Norton Fitzwarren, Staplegrove and Monkton Heathfield to suburbs of Taunton itself it is hard to believe that an additional 100 houses in Creech are needed, especially when the last village survey shows on a demand for only 11 homes.

Landscape & Visual Appraisal Report dated Dec 2022 (FPCR): The plan Figure 1 in the FPCR report clearly shows that there has been sufficient residential development in CSM together with a further approval for an additional 28 dwellings which therefore means any quota for additional residential dwellings should come from other identified MRCs not CSM.

There are still another 250 dwellings to be built at Monkton Heathfield 1 (MH1) an area which has expanded in recent years providing well over 1300 dwellings with MH2 providing for additional dwellings. The TD target figures in March 2021 indicated that TD had a 5.41 year supply. TD therefore are clearly demonstrating they are meeting their housing supply targets. The proposal is therefore still in conflict with the planning inspector's findings.

Phosphates do not appear to have been dealt with adequately within the application, except mentioned in passing in Gladman's planning and affordable statement at section 2.1.3., 3.7.2.

Somerset West & Taunton Dean Council have an adopted Interim Phosphate Mitigation Strategy (Nov 2022): In Aug 2020 Natural England issued an Advice Note to SW&TD Council concerning unfavourable condition of the Somerset Levels and Moors Ramsar Site. As a direct result of high levels of phosphates having significant effects on the integrity of the Ramsar site, NE advised that certain types of new development, including all residential development, should be put on hold until such

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time as it could be demonstrated that it would be nutrient neutral i.e. not adding additional phosphates into the existing wastewater treatment system. Hence the Interim Strategy has been agreed a way of helping to unlock development and the strategy sets out the Council's standard Appropriate Assessment for projects via a Habitats Regulations Assessment (HRA), to ensure the integrity of the Ramsar site. It is anticipated that the interim strategy will provide suitable mitigation for approx.. 75.5kg/year of phosphates in the River Tone sub-catchment, which will generate Phosphate (P) credits which can be sold by SWT to allow some nutrient neutral development to proceed within the District. The subject site is within the River Tone sub-catchment area.

NE has advised that as a result of the unfavourable condition of the Ramsar Site, before determining a planning application that may give rise to additional phosphates within the catchment, an HRA and appropriate assessment must be carried out. As of 05.09.2022 there were 130 planning applications held in abeyance; 43 planning applications on hold as the LPA was unable to discharge pre-commencement conditions. This has resulted in a significant halt to developments, despite the residential schemes which have been built or approved to date. The Somerset Levels and Moors Phosphate Mitigation Solutions Report was published in March 2022. The map which forms part of the strategy clearly identifies the subject site within the Tone catchment area as an area of Risk.

In para 8 of the Interim strategy it states that the New Council will need to ensure that development must continue to be phosphate neutral ...a critical part of SWT's approach to HRA is that a requirement has been established that all affected planning applications must be subject to a project-level Appropriate Assessment.

The subject planning application seems to be pitifully inadequate in its approach to phosphate mitigation.

The Heritage Statement in para 13.3.2 states that unallocated green land outside of settlement boundaries will be protected and where possible enhanced. Development within such areas will be strictly controlled in order to conserve environmental assets and open character of the area. The site clearly sits within this definition and should not be developed for residential dwellings.

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## **Objection 2: There would be harmful effects upon the character and appearance of the area:**

The land contributes to the rural setting of the village and its intrinsic character and beauty of the countryside. Landscape and visual impact assessments before and after any mitigation would need to form part of the proposal offering solutions acceptable to the local residents.

If developed upon there would be visual impacts upon the existing properties, mostly bungalows along the West View boundary, and properties situated at North End, especially as the land currently backing onto these residential areas is higher than the properties so would dwarf the existing properties and overlook them to the detriment of the existing properties.

The following is an extract from the Outline Planning Application 14/93/018 for Residential Development on Land at The Old Mill, North End dated 20th August 1993. "23. Not more than 2 bungalows shall be erected on site and the ridge height of either shall not exceed 5.7 metres, with the eaves line approximately level with the ground floor window heads. Reason: To limit the impact of any development as the site is within an elevated and sensitive location at the periphery of the village."

The Design & Access Statement (D&AS) (Dec 22) states that the Vision of the proposed development, is to provide a new sustainable residential development that fits logically into the existing settlement pattern, responds to the character of CSM and is connected to both the existing village and surrounding country side by a network of footpaths. The purpose of the D&AS is to demonstrate how the character of an area has been taken into account and how design principles will be applied to achieve high quality design. The proposed development fails completely on all the aspects in the document and its vision. The proposed development falls outside of the existing village envelope, so it cannot logically fit into the existing settlement pattern and neither does it respond to the character of CSM which by its very nature is a village not part of the suburbs of Taunton.

How can the 'Living with Beauty' criteria be cited (LwB 2020) when the beauty afforded by the open countryside would be removed forever? The proposal therefore would not be promoting a healthy and happy lifestyle for the residents of CSM especially those who are on the boundary of the proposed development. Similarly, the 'National Design Code' is cited as being a well-designed place unlikely to be achieved by focussing only on the appearance, materials and detail of buildings. It comes through making the right choices at all levels.' In this case the right choice is not to build on this land, but rather to keep it as existing green space.

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There would also be huge implications for the residents of Langaller, which is at present in a rural setting and would also be impacted by the proposed development via increased volumes of traffic and lack of visual amenity.

Gladman describes the site as 'a large open agricultural field.' ...'with open fields either side.' This is precisely why the Creech Neighbourhood Plan has included this field as a 'green wedge' to prevent a marriage of the village with the huge housing development that is still to be developed at Monkton Heathfield.

The proposed development will destroy its rural nature. 'The site is open allowing views across the field' says Gladman in its application documents. It is quite right, it does ..... until it is developed.

They state that 'the site is reasonably tranquil' which is obvious in that at present it lies within the Green Wedge and should not be developed into 100+ homeowners with their cars and vans and deliveries. While Gladman say 'the site is visually contained within the surrounding landscape as a result of the relatively flat landscape' we cannot agree with this. Walking onto the path at North End one emerges onto the field and one has to look up, towards the right, looking even higher up the further along the path one walks.

Gladman says 'Other proposals include an area of open space to the south, with development set back behind the route of public footpath T10/24.' This open space already exists and it's on a great big slope down to the houses in West View.

The application includes a lot of 'so-called' improved benefits for the local community on this site but with the substantial increase in construction costs and consequent cutbacks in house building programmes on much easier sites, it is highly unlikely to be sufficiently viable to accommodate many of the stated community beneficial works. For example, various economic forecasters predict building costs will continue to rise for the foreseeable future. The proposal may partially help with preventing coalescence with Monkton Heathfield, but it adds to the coalescence of housing within North End itself. In fact, it looks like the existing plan will see new housing literally butted up or tagged on to the existing bungalows The Beeches, Classic, Cedarwood, Pomarium and Applehayes.

Views that change from that of an open field to a new residential development are said to be 'Moderately Adverse' but that is not the case for the existing residents living within the immediate vicinity. While the change of view may not be an overriding consideration the changing nature of Creech from a rural village surely must be.

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The application documents state that '41 per cent of the site to be publicly accessible open space and green infrastructure, as well as a community allotment'. Presently the view is rural and 100 per cent countryside.

It's the wrong site to build houses ... on a raised field above existing housing and outside the current built up area and village envelope.

## **Objection 3: Highways & public access**

The proposed access, whilst within the parish of CSM is outside the village envelope, beyond the existing 20 mph and 30 mph speed restrictions, and it is on a bend, which means visibility splays would also impact on the existing area and the additional traffic movements are very likely to impact further on the village and those travelling on the road too.

Additional traffic caused by this and other developments at MH2 / Ruishton are likely to cause congestion and produce harmful higher vehicle emission levels. This is contrary to the Clear Air Bill 2022/23.

It is also very possible that the existing weight restriction levels upon the existing two bridges (river and canal) leading into the village from the south will be exceeded as a result of the proposal. New highways surveys taking these factors into consideration needs to be factored into this application.

There is also some concern from Network Rail, about the traffic levels using the Railway bridge, as it is showing signs of degradation which could lead to further weight restrictions. This bridge was not intended for the traffic levels it handles and currently is limited to 18 tons.

When the new residents drive through the village to the A358 there will be additional potential accidents on the railway and canal bridges. The footpath and road widths over the bridges were never designed for the increased footfall and road traffic that Creech is already having to cope with.

The proposal states that the site 'integrates into the surrounding road and public transport network' which is incorrect. The road, where the proposed new housing development will 'integrate', currently has vehicles driving over the motorway bridge at 60mph/ National Speed Limit, or more and even with an extension of the newly installed 30mph zone beyond the new entry/exit point drivers will only have 100 to 150 yards to slow down when they see the speed limit. This is unenforceable.

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Highways have already approved a scheme, yet to be implemented, to convert the virtual footpath at North End into a standard construction kerbed footpath with traffic calming measures. This needs to be implemented as a first stage of the proposed development and extended along the whole of St Michael's Road. Without such measures the additional traffic will create bottlenecks, traffic jams and further flooding.

It should also be noted that the 20 mph speed restriction, throughout the village, was implemented as a result of the recent Tone Way upgrades in an effort to control the additional traffic using the village as a rat run.

The application documents state that road junctions have spare capacity. A recent Community Speedwatch session resulted in 128 vehicles passing through the village in 40 minutes. This is meant to be a rural village not a suburb of Taunton.

A comment in the application that accident data indicates that the vast majority of accidents is due to human error is a statement of the obvious. The logical conclusion is that with 100+ more households and 200+ extra vehicles there will more accidents.

The local 29 bus service is one every two hours (at best). It runs from Taunton to Glastonbury Monday to Saturday. It does not go beyond the North End roundabout towards Langaller, but rather it turns off onto Creech Heathfield Road & vice versa. Therefore, any proposed residents would need to walk to the bus stop at North End to catch the bus.

The Climate Emergency Checklist within the applicant's pack states at para 1. That the scheme limits the need to travel ... as broadband connections which enable homeworking and on-line shopping along with access to play areas as well as POS & allotments would reduce the need to travel. This is misleading as whilst some may work from home or carry out on line shopping not all do. Additionally, this would create additional deliveries to each of the 100 households and add to the traffic pollution and congestion. In para 2 it states that facilities are located within a 15-minute walk of the site. Small children and potentially parents with pushchairs are likely to take considerably longer than this walking in all weathers, instead parents are more likely to use their cars to drop off children, thereby adding to the congestion in the village, especially around school times.

The comments relating to potentially increased bus services is outside of the scope of the planning process and would be a separate negotiation between the service provider and the developer. It might not happen and is therefore misleading.

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It is noted in Gladman's application that it claims its vision for the proposed housing development 'fits logically into the existing settlement pattern' This is an overstatement. The connection to the existing village is mainly via a dangerous virtual footpath that cannot be adequately improved owing to the proximity of houses on either side of the road. Gladman claims the new housing will be 'connected to the existing village and surrounding countryside by a network of footpaths.' There are only three Public Rights of Way in the immediate area: T10/24 the rural nature of which will be substantially diluted by the proposed 'improvements' to it; T10/23 which is a path to nowhere because it is blocked by the M5; and T10/31 which also goes nowhere and ends at an impassable hedge in the middle of a field. Most of the rural footpaths in the Parish have been cut off by the M5 and this development robs CSM of another. Walking onto the footpath T10/24 at North End, immediately opens onto a rural view; the proposed development will effectively mean residents will be walking through a corridor of housing. It should also be noted that the footpath referred to north of Hopkins Field is on privately owned land. It is not known if the present owner has been approached. It is therefore very likely that the connectivity referred to in the application may not come into fruition. Again, the information within the application is misleading.

## **Objection 4: Infrastructure**

'The Design & Access Statement (D&AS) implies that there are more facilities than there actually are in Creech St Michael: 'good access to the village centre, existing community amenities and the local public network. Local amenities within walking distance of the site include the local primary school, local shops, public houses, and a post office.' Existing facilities in the village are: One doctor's surgery which is or very close to capacity, as is the local primary school. The other facilities in the village include one public house, one village shop in which the PO is situated and local community group facilities operating from the churches and the village hall. These are not open every day of the week. The proposal is for up to 100 dwellings – if an average of 2 adults per household that presents an additional strain of over 200 people plus c. 200 children. The Socio-Economic Benefits Statement states the number could be up to 210 residents i.e. adults plus children. The existing infrastructure in the village will not be able to cope with such an increase in numbers.

The proposed s.106 monitoring fee of £10,000 for 100 dwellings for the POS / play equipment will not provide for long term maintenance, which will become a burden on the PC and in turn the local residents of CSM.

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Security is another issue which needs to be addressed i.e., all the existing properties which back onto the agricultural land at present from North End, Cooks Close, West View, Hopkins Field would become more vulnerable to Anti-Social Behaviour with the proposed increased footfall along the existing footpaths and proposed green buffer area connecting to the proposed allotment gardens and play area. Additionally the Design & Access Statement (D&AS) on page 35 shows a pumping station, SuDS attenuation and wetland all backing onto the existing properties at Cooks Close, West View and North End. These features are also likely to attract ASB/noise and will infringe on the existing properties, many of which are bungalows, and will impact upon the well-being of the existing residents.

The entrance to the proposed development which is outside of the village envelope appears to include bench seating and stone boundary walls to create a focal point to the site. This is not in keeping with the village and will detract from its character and any integration with the village where hedgerows need to be reinstated should the development proceed. There is also little regard for emergency vehicles, which would need to enter the site from North End if necessary.

## **Objection 5: Watercourses / flooding risks/ environment & sustainability**

Existing watercourses and sewers / flood plain / phosphate mitigation would need to be considered as an intrinsic part of any application. It is stated at para 410.2 of the Planning & Affordable Housing Statement that the proposed drainage strategy comprises of draining into the watercourse to the south of the site i.e., North End which recently (Jan/Feb 2023) flooded as the drainage is inadequate. The stream at the rear of Cook's Close / West End likewise regularly floods. The proposal is likely to make this worse with additional run off from the development.

Wessex Water have stated that there are no public surface water sewers within the catchment area, nor are there any connections from the site. They anticipate that a surface water drainage strategy including flow rates, outfalls and betterments will be reviewed with the LLFA (stat consultee for surface water management) in line with NPPF and the local flood risk measures. Whilst the site is contained within Flood Zone 1 the run-off down hill will head for Flood Zones 2 & 3 at North End/St Michael Road. The proposed development completely changes the character of the area. A range of mitigating measures is suggested to relieve the area of flooding, but because of the substantial amount of additional roads and paving incorporated into the proposed development rain water will still run downhill toward Cooks Close. The development proposed makes no allowance for the additional rainfall that will risk flood as a result of Climate Change over the next 50 years. Even Gladman admits that 'there is residual flooding from onsite/boundary drains' that currently cause problems when there is heavy rain.

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The Flooding (Prevention & Insurance) Bill currently being read in Parliament seeks to set national minimum requirements for flood mitigation and protection measures in new build public and private properties enforced by local planning authorities. COP26 was referred to during the reading of the Bill stating that unless we act soon, we would see savage changes in our climate that could have destructive effects on life as we know it. In 2020 the UN's environment programme highlighted that increased flooding is likely to be one of the early visible signs of climate change. This is already happening across the UK and is evident especially in the SW (Somerset).

The Lead Local Flood Authority (LLFA) has stated that the applicant has not demonstrated that a viable connection can be made into the watercourse (point 3). They say that 'whilst full details can be provided as part of detailed design and in a later application, the viability of the proposed connection must be proven for the outline application... and ... should demonstrate that the system can function under flood conditions.' They also have asked for additional aspects to be considered in the drainage strategy with appropriate justification if not proposed (point 1). On this basis LLFA states that their requirements have not been satisfied.

The ENZYGO environmental consultant's report on table 1 indicates that during the trial holes there was insufficient uptake to calculate soil infiltration rates or to calculate design soil infiltration rates. These tests were carried out on 18/19 Oct 2022. The weather for October had been dry with no rain up until that time for several weeks. Construction methodology has been omitted from the reports submitted. Any piling for instance would cause major disruption both as vibration to the existing properties and also noise levels during the construction phases, with the prevailing westerly winds, across most if not all of CSM. This is highly likely due to the nature of the land (former land fill).

The proposed attenuation basin location will be on land 17m rising to 21m. The calculations state the top of the bank to be 17.5m this appears to be a flawed calculation because of the slope of the land; the report does not state if this has been considered in the calculations, although there was a site walkover during August 2022 (one of the hottest months of last year with below average rainfalls). At 6.5.7 the report states that maintenance of the SuDS feature would be undertaken by a private maintenance company. At what cost to the residents or the Council / Parish Council? Frequency, effectiveness and efficiency of maintenance has been omitted: This is all for consideration at detailed design stage but it could add a considerable service charge to residents.

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The ENZYGO in its executive summary states in its risk assessment that there is residual flooding from the onsite/bounding land drains. Additionally, it states that the proposed residential use is classified as more vulnerable to flooding. The foul water would require a pumped connection into the public sewer. It also states in section 6 headed site drainage at 6.3.3 'the proposed development will increase the impermeable surfaces and so increase the amount of runoff.

The Climate Emergency Checklist paras 7 & 8 suggests that points regarding green infrastructure / ecological emergency will be dealt with under reserved matters. Given the likelihood of flooding in the area this needs to be addressed within the application.

The Air Quality Assessment dated 15th Dec 2022 states that the dust during the construction phase will not lead to an unacceptable risk from air pollution or any breach in national objectives. The report does not deal with the vibration which often leads to cracking and damage to existing properties during the construction phases of a development. The report states under section 4 that there is currently no monitoring of air quality at this location by the Council. Additionally in 2020 a child in London died and the air quality was a contributing factor to her death making legal history in the landmark case. Building residential units so close to the busy and congested M5 with the prevailing westerly winds will hinder the air quality of anyone living at this location. That will not contribute to the well-being of residents at this location. Planning Practice Guidance 8 states that whether or not air quality is relevant to a planning decision will depend on the proposed development and its location. If this development does go ahead and is approved, there needs to be a carefully monitored Construction Management Plan submitted and agreed by the Council and the Parish Council prior to any construction taking place.

There is no provision within the application for an acoustic bund which given the proximity to the M5 needs to be addressed, despite the Design & Access Statement (D&AS) referring to one of the site constraints being noise from the M5 towards the NW.

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## **Objection 6: Environmental**

The TD Core Strategy site allocations & development management Plan (Dec 2016) Policy ENV1 Protection of trees, woodlands, orchards and hedgerows: states developments should minimise impact on trees, woodlands, orchards, historic parklands and hedgerows of value to the areas landscape, character or wildlife and seek to provide net gain where possible. Existing flora and fauna would be disturbed by the proposed development with the displacement of badgers, bats, foxes, hedgehogs, deer etc. together with the impact on their environment. Full up to date surveys need to be submitted. CPRE needs to be consulted further on the proposal.

Policy ENV3: & Statement of Environmental Opportunity SEO2: states that development which would significantly harm the appearance, character and contribution of landscape quality would not be permitted ... and the purpose of SEO2 would be to protect, manage and enhance the distinctive farmed landscape while creating a balance of productive mixed farmland and diversity of habitats and associated species. The proposed development would completely change the landscape and nature of the site currently green belt land and annihilate habitats in this location.

Taunton Deane Landscape Character Assessment 2011 identifies the subject site as being located within landscape Character Type 1. Farmed and Settled Low Vale therefore it should not be built upon as residential but rather kept as agricultural land managed as arable land.

The land is identified as a Local Green Wedge within the existing Creech St Michael Neighbourhood Plan under policy CSM 10 Local Green Wedge. This extends along the south eastern side of the M5 motorway from Hyde Lane including all of the subject site and beyond to Creech Heathfield. According to Natural England, the land is classified as grade 2 land under the Agricultural Land Classification system. Grade 2 is very good quality agricultural land.

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The policy states that development proposals in the Local Green Wedge will be resisted where they conflict with its purposes which are to prevent the coalescence of settlements and maintain a sense of place and identity for neighbourhoods; to maintain the open character of a green lung contributing to health and wellbeing for residents; to provide accessible formal and informal recreation, sport and play; to provide valuable wildlife corridors and habitat; to protect areas of landscape importance and visual amenity. The proposed development is within this area and therefore conflicts directly with it. The CSA Environmental Arboriculture Impact Assessment dated Dec 2022 specifically assessed the condition of the significant trees and woody vegetation. The documents states that the agricultural field or site slopes from about 24m above mean sea level to about 16m. It is accessed via a metal gate and there is a public right of way which crosses the lower section towards Hopkins Field. The report also notes the proximity to the M5 motorway. The Heritage Statement also refers to the sloping nature of the site although that states it is 25m sloping to 18m which is different to the Environmental Assessment. The Design & Access Statement (D&AS) on page 17 shows a plan with the topography of the land this shows the land as being 17m at its lowest height alongside the boundary with the properties on West View/ Cooks Lane & North View, rising to 23m at its highest level. The ENZYGO report on their drawing SHF.1132.278.HY.D.011 shows contour lines which indicate the lowest levels next to the existing dwellings to be 15m whilst at the highest point it is shown to be 23m. It states on page 7 para 3.3 that the topographic survey took place in September 2016. 'The site falls from 23.61m AOD to 15.27 AOD, with the fall of over 8.34m over 340m producing a gradient of 1:40.'

The inconsistency of the submission must create doubt upon its worth as an application, which adds to the inaccuracies and misleading information contained in these documents.

The Landscape & Visual Appraisal claims at para 5.2 one of the key objectives is to retain existing landscape features... and at para 6.2 it claims that all construction works will be carried out in accordance with best practice to minimise effects on landscape character. At 6.7 the report states that the site forms part of the NCA 146 Vale of Taunton & Quantock Fringes, reflecting some of the key characteristics. How can building on open agricultural land achieve these aims? Gladman may be right in its assertion that any heritage remains on the site can be mitigated by archaeological digs, but it will not mitigate against the plethora of rubbish buried on what was a landfill site in the area (pre-1960's). Disturbance will almost certainly result in detritus and chemical waste washing down onto housing that borders the site. Methane and other such harmful gases and the effects of these upon any such residential development have not been examined within any of the submitted documents. Additionally, it is understood that spoil from the building of the motorway was moved to the field too.

**Andrew Williams**

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The proposal would mean at least 12 hedgerows and various trees would be removed to permit the development. These are used by protected species such as badgers, hedgehogs, bats, birds of prey together with foxes, deer, pheasants and countless other variety of birds and wildlife.

The Green Belt Protection Bill is seeking to establish a national register of green belt land. This is to protect green wedges such as that Gladman wishes to develop. Additionally, the Dept for Levelling Up, Housing & Communities in their letter to the Chief Planning Officers across the England, dated 16th March 2022, states: 'Nutrient pollution is having an adverse effect on some rivers and waterbodies in the catchments of Habitats Sites. You will have received advice from Natural England about adverse effects nutrient pollution is having on Habitat Sites in your area.... NE have issued this advice where Habitat Sites are in an unfavourable conservation status and additional nutrient loads, such as from development, may have an adverse effect. This advises that planning applications and plans affecting habitat sites in an unfavourable condition should be carefully considered and mitigation should be used to ensure there are no adverse effects to meet the requirements of the Conservation of Species and Habitats Regulations 2017 (as amended). The National Planning Policy Framework also contains protections for these sites and LPAs have statutory duties as competent authorities for planning decisions and plan making as well as broader duties under Regulation 9.'

It is known that the subject site provides habitats for badgers, bats and hedgehogs, all of which are protected species.

## **Objection 7: Community Engagement**

NPPF states that it is important at pre-app stage for such a development as the one proposed, that the developers engage with the community early to potentially improve the efficiency of the planning application system for all parties. Likewise, the Somerset West & Taunton (SWT) Statement of Community Involvement (adopted 2019) encourages community engagement when determining major development proposals carried out at the pre-app stage. Gladman's approach for consultation involved setting up a website with various questions and information together with a leaflet drop.

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In their Statement of Community Involvement, (SCI) they state at section 3: Community Feedback that several indicated they were looking for a new home. They did not state how many residents took part in the community engagement, although they have included 42 responses overall from residents, of which only 3 responses stated yes to the question regarding were they struggling to find an affordable home to rent or buy in CSM, and one person agreed that there was a need for more homes for 1st time buyers or young professionals in CSM. This is therefore misleading to state that several people indicated they were looking for a new home.

They have provided a summary of comments and Gladman's response, most of which refer to reserved matters and not part of the outline planning application or outside of the scope of the application generally such as the suggested provision of a park n ride scheme for the school, or the provision of a local shop on the development – Gladman's response being that there is already provision for shopping in the village and there are no policy aspirations within the Local or Neighbourhood Plan for extra provision (possibly this is because the site is described as a Green Wedge and therefore not for residential development).

The response letter from Somerset West & Taunton Planning Dept: This states that the development plan has not changed since the last application was determined by appeal in 2019, when the inspector was critical of the scheme in terms of visual impact and conflict with identified policies.

Since that time the CSM Neighbourhood Plan has been adopted (2019) and must be considered too. SW&TD also point out the need for phosphate mitigation to be addressed within the application and this will need to be authorised by Natural England prior to any decision being made. They also stated that they could not support the proposal as it is likely to conflict with Policies CP8, DM1 & SP1 of the Core Strategy and Policies ENV1 & SB1 of the SADMP. This was not evident within the application documents. These matters have not changed.

Gladman did not organise any public meetings: Instead two meetings were organised by local residents (who have formed a Residents Action Group) many of whom have commented against the proposed development on the planning portal.

The document entitled Statement of Community Involvement is therefore totally misleading and inaccurately suggests Gladman organised meetings with the local community when it did not; it also suggests it arranged meetings with the local Parish Council which it did not. Instead, there was a leaflet drop during the consultation time which alerted many local residents who reacted against the proposed development as did the Parish Council.

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## **Objection 8: Heritage Statement**

The Heritage Statement states that, “there are known or potential buried heritage assets and above ground assets immediately around the proposed development, having a degree of significance meriting consideration in planning decisions and include designated and non-designated assets”. These are therefore material considerations which need to be addressed. The local History Group for example have not been consulted regarding the application. A detailed assessment is therefore required to be carried out.

At para 3.313 the report refers to the site as being outside of the settlement area within the agricultural hinterland surrounding the village, which is further supported by the Somerset Historical Landscape Characterisation which records the area as Anciently Enclosed Land (approx. 1086) and it has remained as such since then.

Some finds quoted in the report in the area includes archaeology from the bronze age, middle Neolithic to Iron Age, and possible Roman (at Monkton Heathfield) & Bronze Age at Creech Heathfield. The proposed development would therefore have significant impact upon these properties. The Heritage Statement failed to point out that dwellings have been in North End since the 6th Century and that many of the existing properties in North End are listed or of sufficient age to warrant local listing.

If the Application 14/23/0002 is approved by the SWTC Planning Committee, that such approval is subject to the inclusion of the following Conditions:

1. That the landowners of the fields containing the current footpath linking the proposed development site to Hopkins Field, give permission for the changes as proposed in the Application.
2. If the current owners of the said fields agree to the proposed changes to the footpath, the developer will install an earth bund and a two-metre high fence, this will be installed behind the houses in West View adjacent to it, and for them to be maintained as part of the estate's management plan for a minimum of 15yrs.
3. That the remainder of the field adjacent to the motorway and being described as a 'buffer' is designated as a permanent green area and no further development will be permitted on it infinitum.

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4. That a Highways approved traffic scheme will be implemented throughout the entire length of St Michael Road. This scheme will include a permanent pavement along Northend in place of the "Virtual Footpath" with give way chicanes, speed reducing tables in "at least" 4 locations at the south end of the village with crossing points for pedestrians. Plus raised safety kerbs on both bridges with upgraded white lining and warning signs. These traffic and pedestrian safety measures are the absolute minimum requirement.

Yours sincerely



**Andrew Williams**

Clerk and RFO

Creech St Michael Parish Council

**Andrew Williams**

Clerk and Responsible Financial Officer

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