

WEST BUCKLAND PARISH COUNCIL

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DRAFT MINUTES

These minutes will be agreed at the Parish Council meeting on 9th January and might be subject to slight amendment.

The minutes of a planning meeting of the Parish Council held on Sunday 3rd December 2023 at 2.00pm in the Main Hall, at West Buckland Village Hall.

Present: Cllr's C Silverlight (Chair), Ms S Drury, S Bellamy, Mrs B Moore, J Nutt, A Paul and M Wilson.

In attendance: Somerset Cllr's S Wakefield and R Henley, 44 members of the public and the Clerk, Mrs J Larcombe.

Cllr Silverlight as Chair of the Parish Council welcomed everyone to the meeting and thanked them for giving up their time on a Sunday afternoon. He explained that this was the only timing that the main hall was available and everyone could attend. He announced the meeting would be run as a Parish Council meeting and everyone would be given an opportunity to speak during the democratic period item. Once the meeting moved out of that item and councillors were deciding on their response then members of the public would not be able to comment.

1. To receive apologies for absence. No apologies received.

2. Disclosure of interest in items on the agenda. Cllr Mrs Moore and Cllr Wilson disclosed pecuniary interests because they own properties close to the site of the proposed development.

3. Democratic Period.

Cllr Henley introduced himself and Cllr Wakefield as the Somerset Councillors for the Blackdown and Neroche Ward, which West Buckland is part of. He noted his connections to the village through his late parents' active involvement in the community and his previous terms as a County Councillor and said he was proud to represent West Buckland.

Last week there were 24 objections to the application and that has since increased to 36. Both he and Cllr Wakefield are members of the planning committee and will have a vote if this application goes to committee for a decision. He explained that they cannot make any comments on the application at this stage as it would prevent them voting at the planning committee meeting. The Planning Officer has told him the 14th December is

the deadline for comments to be submitted but he advised submitting them by 8th December as it says on the website. It is a major application so it should go to the local planning committee where the 11 members will make a decision. There are also 3 criteria that, if met, trigger an application being decided by the planning committee rather than by an officer. The first criteria is receiving 4 objections from members of the public, the second is an objection by the city, town or parish council and the third is one of the Somerset Councillors requesting it goes to committee. He did not know when it would go to committee if that is triggered. Members of the public can attend the planning committee meeting and an important decision will need to take place before the committee meeting to decide who will speak and what points they are going to make. Three minutes are allowed for each person to speak and that will be enforced as meetings would go on for ever otherwise.

The developer is saying the TDBC area doesn't have a 5 year supply of land for housing. It is a tricky issue and Cllr Henley does expect the developer to use that point.

While it is important for him to keep his right to vote at the committee meeting, he will be available at all times to advice on procedure.

Cllr Wakefield said she had been a solicitor working in property. The blame is being put on the planners but it is the system that is flawed. The developers have to tick boxes as part of the process and there are statutory consultees who will submit their comments/advice. The developers will change the application to fit consultees advice so everyone needs to keep an eye on the website to see if there are any changes and reply again if necessary. If people plan to speak at the committee meeting and the recommendation is approval, they will need to read the Planning Officer's Report to pick up on the points made in their report.

Cllr Silverlight noted that many people will have already made a representation and asked if they could make another. He was told yes, particularly if there are material amendments. It is important to keep an eye on the application on the website.

Members of the public were invited to comment and the following points were made in room order as the Chair invited people to speak:

- 1 The dwellings will have a shared driveway onto a single-track section of Silver Street. When walking along this part of Silver Street you have to be vigilant because there is a clear sense that it is a dangerous place to be as a pedestrian and the development would make this worse.
2. Traffic has increased over the past 17 years and it is difficult to get out of the village in either direction at the start and end of the school day. How would an ambulance or fire engine get into the village between 8am and 9am?
3. Agreement with previous comments.
4. The risk to the wildlife living on or using the field was raised at the last meeting. There are other developments so why do we need this one?
5. The village doesn't have a shop. It did have one but people didn't support it. If the development is approved the people living in the dwellings will be driving to Lidl. Agreement with other comments.
6. The site entrance is onto a narrow section of road and large vehicles use this road.

7. A lot of extra traffic including motorbikes and tractors are using Silver Street.

8. How long will the development take and will we get a reduction in Council Tax while this is taking place? Cllr Miss Drury commented that when the planning consultant attended the consultation meeting he said he saw it being completed in 12 months if permission was given.

9. Agreement with previous comments about traffic. When there are closures on the M5 and A38 all the diverted traffic comes through the village and lorries don't stick to the 7.5 tonne limit on Crown Hill and Sawyers Hill.

10. The size of the attenuation basin is for 30 houses even though the application is only for 12. This is concerning as the landowner owns land all the way to the A38.

Cllr Henley said the field was bigger than that needed for the outline application for 12 dwellings. The developer could come back and apply for more dwellings and there would be nothing planning could do about this.

13. Concern about the safety of the junction with the A38 at Heatherton/Worlds End. The member of the public said they would only turn left at the junction and would drive all the way around if they needed to turn right. They were concerned about the increase of traffic wanting to turn right onto the A38 from Silver Street if the development was approved.

Cllr Wakefield said that sometimes developers have to do something off site if a large development is approved and planning and highways think it is necessary.

Cllr Silverlight added we are constrained by the planning process.

14. The proposal is for large properties which will have a knock on effect on the number of children. Residents will not be sizing down as mentioned in the planning statement. There is no bus service in the village for children to get to secondary school and other activities.

15. There have been no end of accidents at the Heatherton/Worlds End junction. There are likely to be 12 to 24 additional vehicles if this development is approved and most people use their cars every day. There will be a knock on effect to everyone in the village, particularly as there are no pavements.

16. The section of road between Chelston and the motorway is due for a lot of work and this has been delayed until the end of 2024. The village has no bus service. Concern about the additional number of cars.

17. Daughter has been waiting for 2 years for social housing. Only 4 homes came up in the surrounding area last year and she didn't meet the local criteria. She gets pushed back even if it is a neighbouring parish. She could get pushed back by someone who has only been on the housing list a short time but who meets local criteria. Is this the only chance she will get to get social housing? What will the Parish Council do to protect local people?

Cllr Henley agreed their daughter was in an appalling situation and there are also others in the same situation. He has been speaking to the Housing Enabling Officer. It is absurd that they cannot get anything in Wellington where they will have gone to school. He shares the parents' frustration and is challenging this.

18. Lives in Orchard Gardens so sees the field in all its glory every day. There is a lot of wildlife. He has noted how wet parts of it are. If more houses are built it will increase that problem and that will be no good for gardens. The plans claim the bungalows are for older people but the gradients are unsuitable for older people.

19. The application fails on a number of things including sustainability and gradient of site. People cannot garden on a gradient so how much build up is needed. This person did read something about 30 houses in the application documents but cannot find that now. There is no public transport, which goes against policy. People need to raise comments about the things that go against policy in the Core Strategy and National Planning Policy Framework. The Parish Council should make a list of policies to be referred to.

Cllr Henley agreed about referring comments to policy.

Cllr Silverlight said the policies had been mentioned.

20. If this development is allowed it would set a precedent for development on green field sites. Noted the need to quote policies and asked if you could say you agreed with someone else? Cllr Silverlight suggested it would be better to cut and paste the comment agreed with and then change a few words.

21. A question about drains and sewage. Soakaways are legal drainage rights but they are not covered in this outline application.

22. There will be a negative visual impact when coming from the Worlds End and the development will be a carbuncle on the landscape. The field is used for silage and grazing which will be lost if the development goes ahead. As a consequence the development would be in an open green space. The development has come about not because housing is needed but because the owner has inherited 3 fields. It is not about finding land to provide housing in a sustainable way. People need to quote policies and he hopes the Parish Council will do so.

Cllr Wakefield said if a developer submits a speculative application they have to prove their case to planning. If sites are wet or flood, they will have to provide a solution. Legal points are separate to planning.

23. Concern about people wanting to comment but not having access to the internet. Craig Piper has a paper form that people can complete and he will submit their comment online for them.

24. The capacity of the school was questioned. Somerset has a Fair Access Protocol which parents can use to appeal the decision if their child/children are in the school's catchment and are refused a place. At present the school has a number of children who do not live in the catchment.

25. Cllr Moore, speaking as a member of the public, said she had taken a number of photographs to show how unsafe Silver Street is to use and walk along. There are a lot of bats in the area of the development and the additional lights and loss of hedgerow will affect them. The development will be in a beautiful part of the village and will be a detriment to the setting of the Church.

26. Cllr Wilson, speaking as a member of the public, said he had spoken to a friend who was involved in planning and he had provided a written response listing the points to be made in objecting to the application and the policies to be referred to. He read the document to the meeting and provided a copy to the Clerk.

Cllr Wakefield said it read very well. The developer will be trying to get around the points made. It will be a technical process and it helps form the officer's recommendation. If members of the public come forward and speak at planning committee meetings, they can change the committee's mind.

Cllr Henley said that even if the planning officer is recommending approval it is not always the end of the game. He noted a similar application in the parish of Hatch Beauchamp for which the officer's recommendation was approval but it was refused by committee. An appeal was also refused.

Cllr Henley, Cllr Wakefield and some members of the public left the meeting.

4. Planning:

43/23/0018. Application for Outline Planning with all matters reserved, except for access, for the erection of 12 No. dwellings (25% affordable) on land at Silver Street, West Buckland.

Cllr Mrs Moore and Cllr Wilson disclosed pecuniary interests and left the room.

Cllr Miss Drury said she had looked at the plans and the comments online. She has personally submitted an objection to the application which covers most of the points made online. She noted that whilst lots of comments have been made online, many of them are quite generic and advised that they should be homed against policies in the Local Plan.

Cllr Paul noted how Lee Park was developed and changed the village. This application could change the village. He said he was against it as a speculative application.

Cllr Nutt said he was against the application. If the application is approved despite being Contrary to planning policies then a proposed development against Lee Park discussed with the Parish Council as a pre-application consultation a few years ago could come back.

Cllr Bellamy said he had been pleased to hear everyone's views and has submitted his own views. He noted the housing needs of the parishioner mentioned during the democratic period and another that he is aware of but said he has to note the views of the community and as all are against the development he is against it.

Cllr Silverlight noted the key documents in the TDBC Local Plan are:

- Taunton Dean Core Strategy – Policies SP1, CP1, CP8, DM1 and DM2.
- Policies A5 and SB1 of the Taunton Dean Site Allocations and Development Management Plan.
- Policy ENV3 (Special Landscape Features)

Comment submitted online to Somerset Council. West Buckland Parish Council recommend refusal for the following reasons:

1. The proposed development is outside the defined settlement limit of West Buckland

as identified in Taunton Deane Core Strategy Policy SP1 and should be treated as being within open countryside and assessed against Core Strategy policies CP1, CP8 and DM2.

2. As the proposed development is in open countryside it would be more appropriate for an application to be made for a rural exception site, be affordable housing led and designed to meet a proven affordable housing need as per the Affordable Housing Rural Exceptions Sites: Technical Advice Note Sequential Test. West Buckland Parish Council is working with the Somerset Council Development Enabling Team to carry out a Housing Needs Survey to clarify and evidence the housing need in West Buckland. The Parish Council would like to work in collaboration with the community and if the need for affordable housing is clear then there should be a call for sites and a sequential test to determine feasibility of potential sites and where any development outside of the development boundary would work best with the community.
3. The proposed development is not designed and sited to minimise landscape and other impacts. CP8 requires a high standard of design and landscape integration for the proposal to be acceptable in open countryside. This proposal would result in linear development that represents a poor relationship and is at odds with the built form and rural character of this part of the settlement. It would extend the village boundary rather than round it off and the development would appear separate and disconnected from the wider village. Travelling south along Silver Street the development would encroach on the rural landscape character because the site is elevated from the road and the buildings would protrude above the hedge for many years. Figure 3 in the response from the Landscape & Green Infrastructure Officer supports this. The proposed development is therefore contrary to policy CP1 and CP8 of the Taunton Deane Core Strategy.
4. The development would significantly harm the special landscape feature of West Buckland Hill around the Grade 1 Listed St Marys Church and adjacent fields as it would materially change the landscape when approached from the south along Silver Street. Figure 4 in the response from the Landscape & Green Infrastructure Officer supports this. Policy ENV3 (Special Landscape Features) affords protection to this feature of the landscape which makes an important contribution to the local character and quality of West Buckland. This SLF is also protected by Core Strategy Policies DM2 and CP8.
5. It is proposed to remove approximately 50 metres of mature hedgerow in a landscape of strong hedgerows which would have a significant urbanising impact upon the rural character of Silver Street, one of the three main approaches to the village. The proposed development is therefore contrary to policy DM1, CP1 and CP8 of the Taunton Deane Core Strategy.
6. The site is located in an unsustainable location where future occupiers would be heavily reliant on the private car to access facilities and amenities that are not available within close proximity to the site. The village of West Buckland has no regular bus service and access to public transport for pedestrians would be via Silver Street to bus stops on the A38, where there are no safe pedestrian crossings. The proposed development is therefore contrary to policies SP1, SD1 DM 2, CP1 and CP 6 of the Taunton Dean Core Strategy and policies A5 and SB1 of the Taunton Dean Site Allocations and Development Management Plan.
7. Silver Street, one of three main routes into the village, has no pedestrian pavement or footway, is unlit and is narrow in places. It is heavily used by cars, lorries and agricultural vehicles and is subject to the national speed limit of 60mph north of the proposed development and should be considered unsafe for general pedestrian traffic and cyclists. The proposed walkway will not protect pedestrians or cyclists from

vehicles coming down Silver Street. The proposed development is therefore contrary to policies SP1, SD1 DM 2, CP1, CP 6 and CP8 of the Taunton Dean Core Strategy and policies A5 and SB1 of the Taunton Dean Site Allocations and Development Management Plan. (Please see accompanying photographs, taken over a fifty minute period, which evidence the lack of pavements, how narrow the road is in places, heavy vehicles using the road and the difficulties for pedestrians and horse riders).

8. The safety of the junction of Silver Street with the A38 at the Worlds End has been of concern to the residents of West Buckland for more than twenty years and the large amount of development in Wellington and Taunton has only made this worse. Should the planning officer be minded to approve this application the additional car journeys created will only add to this and a contribution should be required towards improvements at the junction.
9. Access for the proposed development is onto a very narrow part of Silver Street and the additional car pressure will add risk to pedestrians and cyclists travelling along this main route into the village. Figure 2 in the response from the Landscape & Green Infrastructure Officer demonstrates how narrow this section of road is.
10. The proposed affordable dwellings are not an integral part of the development and their type and size do not reflect those of the overall development. As the affordable housing would be the sole terrace on the development it would be visually distinguishable from the market housing on the site. The proposal for three bedroom affordable homes does not meet the affordable housing needs of small families or couples in the parish who would be denied a three bedroom home. The proposed development is therefore contrary to policy DM2 of the Taunton Dean Core Strategy.
11. Should the planning officer be minded to approve the application there should be a S106 agreement to tie the occupancy of the affordable housing to those with a recognised link to West Buckland.
12. The inefficient sighting of the fallow land required to provide phosphate mitigation for the proposed development would be detrimental to the efficient agricultural use of the adjacent field and is therefore contrary to paragraph 174 of the National Planning Policy Framework.

If the application goes to committee objectors will need to be organised in their representations to committee. The Parish Council will be part of this but will not necessarily lead.

The meeting was declared closed at 3.25pm.

Signed:
Chair

Date: