

Keinton Mandeville Parish Council
Minutes of a meeting of the above-named Parish Council
held on Tuesday February 22nd, 2022, at Keinton Mandeville Village Hall

Present: Tom Ireland TI, Chris Calcutt CC, Chris Lane CL, Scott Fischer SF
In attendance: Sue Graham (Clerk) 63 members of the public.

Public session

A Galion Homes representative attended and reported the following:

SSDC are unable to demonstrate 5 year planning supply, therefore the NPPF applies and sustainable development should be allowed unless the constraints outweigh the benefits

Changes have been made to the existing application in response to consultees' concerns as follows:

Drainage. Reassurance provided that the proposal includes a new drain and sewer.

Traffic congestion. There have been detailed discussions with County Highways and the number of vehicles associated with the development has never been raised by the council. View expressed that car use in the future would likely diminish with more people working from home

Biodiversity. The ecology statement shows a biodiversity gain. The revised proposal includes a workable solution to mitigate phosphates in the form of woodland planting. This will be subject to review by the County Ecologist and Natural England. The scheme will exist in perpetuity.

Heritage Impact. Level of northern field will be reduced by 1 metre to its original level. Houses in the vicinity of the listed building will be single storey and set back to minimise the impact on that house

School capacity. Calculations indicate that the development is likely to generate demand for 10 primary school places, therefore money will be provided to expand the school. There will be a further contribution of £50k towards a preschool.

Affordable Housing mix. This has been changed to offer one bed flats and 2-3 bed units. 35% will be affordable

The development has been designed to avoid it feeling like enclosed housing estate. There will be a link to a public footpath leading to lakeview and the village hall. There will be no red bricks – only quarried stone. Close board timber fencing at the access point will ensure privacy, acoustic fencing and mature hedgerows will minimise the impact on houses on either side of the access. The view expressed by the Galion representative was that it is inevitable that this area will be developed eventually and Galion's proposal is a sensible compromise, in the form of a sustainable, attractive development.

Members of the public raised the following:

Drainage is a huge problem in spite of assurances from Galion that there was sufficient attenuation on the Lakeview site. The natural drainage from Lakeview runs into Church St / Queen St. this meets Common Lane and floods the field at Newlands Farm. Query raised about to where the water will be moved. The end point currently seems to be a Newlands Farm field where the natural drainage is in conflict with what is coming from the development. The water is merely being sent around the corner. The water must be moved in controlled way to place where it's not going to cause a problem. Drainage on the current site is inadequate and this additional development will exacerbate this.

Lowering the site (top field) by a metre. This soil will be taken off site – how many lorry loads will be required to do this? This needs to be clarified and shouldn't contravene the rules regarding limitations on lorry movements

Disappointing that the footpath between Chistles Lane and Church Street has not been improved by Lakeview. Profit should have been invested in improvements to this footpath

Red brick. In spite of Galion's assurance that it does not like red brick and there will be none on the new development, there is plenty on Lakeview (generally on the rear of the houses)

A current resident of Lakeview who wished to remain anonymous had asked for a point to be made on their behalf - they signed up to a clause when buying the house which bans them from making negative comments on any Galion planning application on adjoining land. Assertion made that if the clause bans Lakeview residents

them from making negative but not positive comments - this would potentially skew representations. The PC was asked to raise this with the planning officer. A retired solicitor in the room stated:

"I have not seen the text. However if it is as described it is clearly unlawful and unenforceable on probably 3 grounds: a breach of s. 10 of The Human Rights Act (protecting the right to free expression) ; void as contrary to public policy under the English common law of contract ; and, arguably, unfair and therefore unenforceable under the Unfair Contract terms Act 2015 (since it affects the consumer's rights vis-a-vis the developer/trader)".

Claim that the GP surgery at Castle Cary had expressed that it was becoming overwhelmed with increased demand as a result of recent development in the area and as such would be against further development

Concern about Galion representative's apparently dismissive comments about traffic. There would be increased traffic arising from this development. The impact of the increased traffic and associated congestion was stressed. This was an important issue for the village even if it was not acknowledged by Highways or Galion.

The earlier comments about a reduction in car use/ ownership were challenged. There is no bus service or alternative transport. People rely on their cars for work, leisure and shopping. The impact of working from home is limited.

It was noted that despite Highways finding no issues, their judgements appear to be based on access / visibility in the immediate vicinity of the development, as opposed to any impact beyond this.

The increased lorry movements associated with the construction phase was also raised as a concern. Assurances from Galion about a robust construction management plan were challenged; there had been a construction management plan for Lakeview which had been ignored time and again. Many concerns about the impact of heavy lorries were raised. A connecting road to the main road would have been a better solution. The 7.5 weight limit on Common Lane must be respected and the 30mph speed limit enforced. Noted that if Common Lane is not used there will be a problem at the crossroads.

Heritage – The resident of Homestead wished to note that the house and the barns are listed and the outlook is also listed. The house dates back to Georgian times and the land has always been farmed. The proposal shows no respect to this. This field is part of our village history and Galion will destroy this.

The lower level of the north field does not have hedges but listed walls, this development would undermine the history of the walls. Reassurance was provided that the dry-stone walls would be reinstated.

Noted that a comparable application in Templecombe has recently been rejected on appeal on the grounds that the proposed development site represented the last link between a Manor House and its rural farming setting. This is a precedent that could be applied to the Homestead.

Queries about the phosphates scheme were raised and answered as follows:

Q: How many hectares of cereal production would be lost to the scheme. There is a disparity between the initial and end figures. A: 35 hectares initially, this would be offset by 2025 with improvements to the Somerton treatment scheme. The woodland would remain and could be used to mitigate future developments.

Q: Who would look after the woodland A: This would be the responsibility of a management company

Q: How long does it take for trees to mitigate the phosphates. A: The trees would remain in perpetuity

The Ecological Impact Assessment shows 11 species of bats, slow worms, grass snakes, a badger sett, newts. A traditional orchard has been removed. There is no bird policy. Policy EQ5 states Existing Green Infrastructure will be protected against any adverse impact of development proposals. If loss of existing green infrastructure assets is unavoidable in order to accommodate necessary development, appropriate mitigation for the loss will be required. It appears that the developers have taken view that it is necessary and unavoidable. However, it is noted that 11,000 houses are held up by the phosphate issues, the five year housing supply issue is a fine line and can be argued that this development is neither unavoidable or necessary

Privacy on the eastern side and southern side of development is not being respected and taken into consideration.

Note of caution that s106 promises don't seem to be enforceable in the way that they should be

Housing mix - There is more demand for inexpensive houses than for rentals.

Neighbours around the access point queried the screening and maintenance. This would be a laurel hedge. The maintenance would be via a management company

Suggestion made that a mixed hedge would be preferable to a laurel hedge

How sustainable will the development be – what decent efforts have there been to make them sustainable and efficient using green technology. There's not even rainwater storage / solar panels in Lakeview - sceptical about why would this be any different

The Galion representative noted that

There will be no gas.

Heating will be ground source/air source heat points

Charging points in garaging and for communal use

Will be as airtight as possible

Trying to produce a traditional style but sophisticated, modern house

1.0	<p>Apologies Apologies were received and accepted from Richard Sutton, Kevan McHale, Trevor Ryder, Tony Capozzoli, Charlie Hull .</p>
2.0	<p>Declarations. Receive declarations of interests There were no declarations</p>
3.0	<p>Planning. Consider the following applications and make recommendations to the planning officer Our Ref: 20/03613/FUL Amended plans and/or additional information The erection of 30 No. dwellings (Use Class C3) with associated access, parking and landscaping together with the erection of a purpose-built Preschool Building (Use Class E). Land OS 8325 And OS 8333 Off Church Street And Land Adjoining Primary School At Chistles Lane Keinton Mandeville Amendments to the proposed scheme at Keinton Mandeville have been made by the applicant which seek to address the comments made by statutory consultees, parish council & the public. Summary of the documents and drawings:</p> <ul style="list-style-type: none"> - Supplementary Planning Statement. - Soft Landscaping Plan / specification to address tree officer comments. - Heritage statement and associated drawings outlining proposal to lower the made-up ground levels to the northern field to reduce impact on neighbouring plots and ease impact on existing historic boundary walls. - Updated drainage strategy and drawings addressing LLFA comments. - Updated site layout to address Highways comments. - Finalised, workable Phosphate Strategy with associated ecological appraisal. - Finalised Ecology reports / biodiversity net gain appraisal. - Revised accommodation mix and schedule that aligns with the housing officers requests for 1,2 & 3 beds. Still at 30 units overall. Reduction of 4 plots to 2 at south-western and south-eastern corners of the site, with single storey dwellings proposed in these locations to reduce impact on neighbouring plots. - Further information on the sustainability credentials of the development included within the Design & Access Statement. - Further clarification on mature planting & acoustic screening to entrance area off Church Street to lessen impact on amenity of immediate neighbours. <p>Comments were made as follows: The document from Salmon Planning contains inaccurate assumptions:</p>

That there will be no adverse effects and that it is a suitable location. Such comments cannot be justified. The village facilities are not as suggested. Employment is limited and the school is full. Pre school – developer no longer an intention of building pre school and would contribute to s106 agreement

Claim that the council cannot demonstrate a 5 year housing supply does not guarantee planning permission.

Affordable Housing. The ratio of 80:20 rent: shared ownership would meet HG3 level but is not compliant with HG5 in terms of local needs. From our experience of Lake View, there is much greater demand for low cost housing than social rented accommodation.

Key issue is whether the changes proposed make a material difference to this application.

230 people made representations against the original proposal. These are people living in the village with genuine concerns

The amended proposals continue to be disrespectful of Keinton Mandeville and its residents

The village will not benefit from this development

The resulting traffic impact on the village will be unacceptable

Noted that phosphate mitigation strategy is designed in partnership with Higher Hill Farm Ltd. The benefits of the leafy environment will be limited to an area remote from Keinton Mandeville, which will see the negative effects. It might be better if the woodland planting were in the Parish on fields 28, 29 & 30 (RLR map included in phosphate strategy.).

This is a housing estate, being built on an enclosed green space which characterises our village

Development on this site is not in keeping with the village which is linear in design.

The plans are disingenuous in places with some existing houses not featuring

Reducing the land level by a metre will inevitably create substantial excess material that will have to be taken away from the site. Serious concerns surrounding this activity were raised during the original Lakeview Quarry application in which a similar proposal was made. The same concerns remain.

Assurances that the drainage issues will be rectified are not convincing based on local experience of flooding on Common Lane

Resolved: It was proposed and unanimously agreed to recommend **refusal** for the following reasons:

- The proposed changes do not make a material difference to the PC's original reasons for refusal.
- The proposed development would not benefit the village in any substantive way.
- Since our previous comment the Lake View development has almost been completed and the village school is now full. It can therefore not be considered an amenity available to new development until it is extended with new class rooms. These need to be available before any families take residence in a new development. At the end of the development is too late and it is not acceptable to bus children out of the school, as suggested by another developer.
- The proposed development will be harmful to the character of the village as a rural settlement, rather than an urban landscape. The difference between the two being rural villages are interspersed by agricultural land, paddocks and orchards with many house backing onto such land. Whereas urban estates and development comprises dense built up areas that are surrounded by other built up areas and with only parks and municipal green spaces within them. This is described in more detail in CPRE's comments dated 15 February 2021. Therefore to develop on this site would be harmful to the character of the village and the rural setting and contrary to Policy SS2.
- The impact of increased traffic associated with this development would be unacceptable for local roads. It is noted that County Highways appear to base their judgements on the access / visibility in the immediate vicinity of the development, as opposed to any impact beyond this. The proposed scheme will not resolve the pinch point at the top of Queen Street, the narrow width of Common Lane and the poor viability onto the A37 at its southern end, or the congestion on High Street and Castle Street (particularly at the junction with Queen Street).
- The affordable housing mix is not acceptable to the Parish Council, which believes the local demand is for 80% low cost housing and 20% social rented housing.

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| | <ul style="list-style-type: none">• Drainage – in spite of assurances regarding a new drainage system, improvements do not extend beyond the corner of Common Lane by The Old Vicarage pond, where flooding remains problematic. This development will exacerbate it. Local experience is that the natural drainage runs to Church St / Queen St. and meets Common Lane. The drainage past Newlands Farm and down the rest of Common Lane needs to be increased in volume. |
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