

2020/0580/OTS – Second Round Consultation – Parish Council Response

Stoke St. Michael Parish Council considered the documents listed in the following paragraph at its meeting on 18/03/21. The Parish Council resolved to confirm its continuing opposition to any development along Church Street, Tower Hill and Coalpit Lane. The Parish Council accordingly resolved to reaffirm its recommendation of **REFUSAL** of application 2020/0580/OTS.

In unanimously agreeing this resolution the Parish Council considered in detail the letter dated 20 January 2021 from Pegasus Planning to Mr. U'Dell, Mendip District Council's Senior Planning Officer. Accompanying this letter were Sketch Layout – drawing no. P18-0524_02 Rev B; Site Location Plan – drawing no. P18-0524_01 Rev A; and Ecological Mitigation Plan – Figure 3: Biodiversity Net Gain (sic) and Mitigation & Enhancement Plan extracted from already submitted Ecology Report.

These documents only address those matters raised by the Landscape Officer, are peripheral and have no material impact on the fundamental concept of development in this location. In the covering letter Pegasus Planning are also seeking to advise the planning authority on how it should interpret the planning balance and suppression of the 5-year housing land supply.

The application site sits atop the quarry at Stoke Lane. This quarry has a defined buffer zone of 400 metres (refer to the Minerals Planning Policy for details) which prevents non-mineral development proposals being given consent. The application is speculative, opportunistic and seeks to exploit the argument of presumption in favour of development. However, paragraph 11 (d) of the NPPF is neither absolute nor unqualified in either meaning and/or application. Sub-paragraphs 11(d) [i] & [ii] sets out the circumstances where the presumption in favour of development would not apply. These sub-paragraphs read in conjunction with paragraph 204 (c) of the NPPF leads to the conclusion that the development location is not sustainable and will result in the sterilisation of a national resource previously identified and agreed through a public examination process.

The additional submitted documents do not address that the application is contrary to:

- the National Planning Policy Framework - para.206 which states *that Local Planning Authorities should not normally permit other development proposals in mineral safeguarding areas if it might constrain potential future use for minerals working* [the *not normally permit* wording is related to a list of exemptions which the Minerals Planning Authority have confirmed have no relevance to this application]:
- the Minerals Planning Policy, chapter 11 - Safeguarding;
- the Minerals Topic Paper 6, page 34 which lists 21 quarries in east Mendip specifically safeguarded following the public examination in 2015. The draft policy was found fit for purpose by a planning inspector assisted by a wide range of professionals prior to being adopted by the MPA;
- Stoke Lane quarry is listed among the 21 quarries referred to in the previous bullet point and which specifies a 400 metre buffer zone surrounding it that prevents the application site being developed;
- The minerals planning policy is not due for review until 2030 and Stoke Lane quarry has an extraction permit which expires in 2042.

Further the revisions do not address other fundamental issues which the Parish Council considers makes this location totally inappropriate for development, a view which is robustly supported by residents.

- The development would result in significant harm to the landscape and public realm. The number of dwellings of “up to 47” is greater than that required or consulted on by planning policy in preparation for the Local Plan Part II and that number would be extremely difficult to reduce at the reserved matters application stage and no weight should be given to this dimension in the decision-making process;
- The site is a haven for wildlife where wild deer roam freely;
- The development site is approached by a narrow lane from either the north or south. The highways authority has confirmed it does not validate claims made within transport statements to support applications and has given contradictory views to the Parish Council on the severity of impact of the additional traffic generated;

- The site is in an unsustainable location outside the development limit and it is in conflict with the existing development plans and the advanced Local Plan Part II;
- The road width is less than the minimum 4.1 metres required for two vehicles to pass each other over significant distances and in parts would not accommodate a car and bicycle travelling in opposite directions. The lack of a validation process by the highways authority has been identified as a crucial omission which has the very real potential to mislead decision-makers;
- The road from the village centre has a lack of pavements. It is the primary route for children walking to the school with much of the route being a shared surface between vehicles and pedestrians;
- This route already has a TRO in place to prevent use by large vehicles;
- The proposed development site does not provide a safe route to the school for children who will have to negotiate the crossing of the busy Coalpit Lane;
- The swept path analysis is now rendered invalid by recent works involving the realignment of the main electricity supply.

In conclusion the considerable concerns of the Parish Council are heightened and the additional data and drawings submitted for consideration do not mitigate or assist in the mitigation of the significant and detrimental impacts of these development proposals. The detriment is so fundamental that it cannot be removed or mitigated by a Sec. 106 agreement