

CHAPTER 10 TOWN / VILLAGE SETTLEMENT INSETS

STOGURSEY

10.72 POLICY SY/1

Objections

769	Environment Agency-South West Region
876	Government Office for the South West
877	Government Office for the South West

Issues

Whether

- (a) the non-housing developments in criterion (i) should be the subject of a separate policy;
- (b) criterion (ii) should be modified to clarify the highway improvements that should be provided as part of the development;
- (c) criterion (iii) should be modified to state an intention to seek affordable housing;
- (d) criterion iv) should be modified to seek appropriate planning obligations only;
- (ii) The avoidance of flooding at Site 5.

Inspector's reasoning and conclusions

Issue (i)

Policy SY/1 is a complex policy since while allocating land for residential development on land east of Park View and St Audries Close (Site 5 on the Settlement Map) the criteria for the grant of planning permission include a substantial range of public benefits including a burial ground, public car parking, public toilets and highway improvements, in addition to the provision of a proportion of affordable housing. GOSW objects that the policy should clarify the highway improvements relevant to the development, should not delegate decision making to the highway authority, should merely state an intention to seek affordable housing, should relate planning obligations only to matters necessary for the development to proceed, and should not seek to require applicants to enter agreements with third parties, for example the parish council, in relation to a burial ground.

The LPA claims that PC298 meets the majority of the substantive points raised in objections 876 and 877, pointing out that all parcels of land referred to in the Policy are in a single ownership. In my view PC298 retains various anomalies and does not fully meet the objections. The highways affected are clearly indicated and works would form part of the overall development. However, although ostensibly a housing policy I consider it remains in PC298 a comprehensive policy for the development of Site 5. I am inclined to agree with GOSW that the provision of a burial ground, public car parking, and public toilets should more clearly be cited in a separate policy. I have no objection to their mention as a rider directly integrated with the commentary in brackets at the end of PC298. I shall recommend accordingly.

Issue (ii)

I bear in mind that the EA is a consultative body in respect of applications for planning permission, Policies W/7, changed by PC70, and W/8, changed by PC74, together with the insertion of floodplain boundaries by PC71 accord with national policy in paragraphs 21 and 22 of PPG25. In my view they afford adequate control of development affecting floodplains and river corridor areas. Provision of a buffer zone sought by the EA along the Stogursey Brook including wildlife habitat will be secured through the provisions of Policy W/8 as changed by PC74. In that context I find no compelling reason to provide specific text on these issues in relation to Stogursey.

10.72.1. RECOMMENDATIONS

I recommend that

- (i) Policy SY/1 be modified by PC298, subject to the omission of items (i)(a), (b), and (c) and the insertion in the last bracketed sentence of reference to a burial ground, public car parking, and public toilets; and that the part of Site 5 proposed for housing be shown on Settlement Map 16;**
- (ii) An additional policy be inserted providing for a burial ground, public car parking, and public toilets on land east of Park View and St Audries Close; and that the part of Site 5 proposed for these developments be shown on Settlement Map 16**

10.73. PARA. 10.16.19.

Objection

36	Mr M Hulls
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Issue

The need for a school playing field south of the primary school.

Inspector's reasoning and conclusions

The proposed school playing field, part of an existing larger field, would be to the south of the primary school and the objector's property and would be about 0.4ha in extent. The objector challenges the Council's view that after their improvement the current village facilities would be unsuitable when they are only about 183m distant from the school. I observed on inspection that the proposed school playing field site has an obvious southward slope. Nevertheless, I note that the Local Education Authority considers the site is suitable for its intended purpose. Its use would obviate the supervision of class groups of children crossing the street between the school and the village playing field. With regard to the effect on the outlook from the objector's residence that is not, as paragraph 64 of PPG1 makes clear, a matter concerning public amenity. Furthermore, as use as a school playing field does not imply significant physical development I do not accept that

serious visual intrusion would result. At the same time I do not consider the use detrimental to the setting of the Stogursey Conservation Area as the land would remain open.

10.73.1. RECOMMENDATION

I recommend that no modification be made in response to this objection.

10.74. POLICY SY/2

Objections

35	Mr M Hulls
280	The Diocese of Bath and Wells

Inspector's note

The question of the development of land south of the High Street at Stogursey, the subject of objection 280, also arises in objections 278 and 279 (10.75 below) made by the same objector. In view of the extent of the site I deal with the matter as an omission housing site objection to Policy H/1 of the Plan in Chapter 8 of this report and make no recommendation here

Issue

Whether the boundaries of the proposed primary school playing field area should be modified.

Inspector's reasoning and conclusions

If the playing field proposal in the deposit draft Plan were sustained Mr Hulls (obj 35) considers the shape of the field should be amended to extend further south and its eastern boundary should be an extension of the boundary between the school and his residence. With regard to the effect on the outlook from his residence I consider that is not, as paragraph 64 of PPG1 makes clear, a matter concerning public amenity. Furthermore, I do not accept that there would be any material reduction in noise or security if the boundaries of the site were revised in the way the objector suggests.

On the wider issue of the effect on landscape and wildlife it does not appear to me that use as a school playing field necessarily includes building development. In any case, such development would be subject to planning control. I consider a conventional primary school playing field surface would not be an unacceptably inferior setting of the Stogursey Conservation Area compared with the present somewhat rank vegetation on the site. There is no evidence before me as to any effect on wildlife.

10.74.1. RECOMMENDATION

I recommend that no modification of the Plan be made in response to objection 35.

10.75. SETTLEMENT MAP 16 AND CHANGE NO 264

Objections

278	The Diocese of Bath and Wells
279	The Diocese of Bath and Wells

281	The Diocese of Bath and Wells
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Objection to PC264

2417	Environment Agency
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Inspector's note

The question of residential development on land south of the High Street at Stogursey, the subject of objections 278 and 279, also arises in objection 280 (10.74 above) made by the same objector. In view of the extent of the site I deal with the matter as an omission housing site objection to Policy H/1 of the Plan in Chapter 8 of this report and make no recommendation on that matter here.

Issues

- (i) Whether the proposed amenity area south of High Street should receive protection under Policy R/5.
- (ii) Whether it should be clarified that low-lying parts of the land east of Castle Street, which lies adjacent to the non-main river of Stogursey Brook, can be expected to flood and are therefore unsuitable for new development.

Inspector's reasoning and conclusions

Issue (i)

The proposed amenity area, a broadly rectangular area of about 0.4 ha fronting the High Street provides the only gap in an otherwise continuous built-up frontage within the settlement development limit. It affords a significant informal open space close to the centre of the village and a window on the open rural landscape outside the settlement. I support its safeguarding under Policy R/5.

Issue (ii)

The identification by PC264 of the land east of Castle Street within the village development boundary includes the curtilages of existing residential properties. New housing has been erected on its previously-developed southern part. The northern section is a garden area adjoining the church cemetery to its north and is within the Stogursey Conservation Area, where any future development would be subject to the appropriate conservation and building design policies.

So far as concerns flood risk, in my view Policies W/7, changed by PC70, and W/8, changed by PC74, together with the insertion of floodplain boundaries by PC71 afford adequate control of development to avoid flooding. Protection of a buffer zone along Stogursey Brook, including wildlife habitat, would be afforded by Policy W/8 as changed by PC74.

10.75.1. RECOMMENDATIONS

I recommend that the Plan be modified by PC264.