

## Castle Cary and Ansford Neighbourhood Plan

Response of the NP Working Group to questions raised by the examiner in the annex to her letter dated 15 February 2019

### Q1

---

- 1.1 The answer to the first part of this question is set out at para 23 of the Consultation Statement. Note also the four additional responses received from statutory authorities, noted at para 27 and recorded in full at Appendix 16.
- 1.2 We are not able to confirm the number of responses received at the Reg 16 stage – the District Council have provided us with their summary of comments and have confirmed to us that the total number of respondents is eight, but we are not aware of all their identities, nor we have seen the individual responses.

### Q2

---

- 2.1 The working group is aware of the requirement that the NP should be “in general conformity” with the Local Plan and has struggled to balance this against local concerns firstly that the growth of the town is being allowed to proceed in an uncoordinated manner and secondly that Castle Cary is being forced to accept additional development which may properly belong elsewhere. We emphasise at the outset that we do not seek to challenge the strategic approach of the Local Plan. The reasoning behind our approach is set out in chapter 5 of the NP, to which we add here:
  - a) We understand that the LP figure of 374 dwellings does not represent a ceiling, but it does represent an indication of the overall scale of development which is to be expected over a period of 22 years, ie an average of some 17 new dwellings per annum.
  - b) When the examiner conducts her site visit, it will be immediately apparent from a walk along Station Road that there is very considerable development activity taking place which is consistent with national policy to boost the supply of housing. Construction work is under way at three large sites with the potential for a total of 187 new dwellings.
  - c) Beyond those already under construction, there are further permissions available for approximately 290 dwellings on green field sites and 88 on brownfield sites, giving the town an immediately available development pipeline of some 565 dwellings to add to 68 completions in the LP period so far. Thus, completions since 2006 together with the current pipeline represent a total of 653 dwellings, or 38 years supply at the rate of 17 per annum implicit in the Local Plan requirement. Even allowing that the LP requirement is a minimum and not a ceiling, this represents a very generous supply and we question whether the housebuilding industry would find that the demand for housing in the NP area would be as great as this.

- d) Government policy requires assessments of housing land supply to be carried out at the district-wide scale, and we do not dispute that South Somerset does not have the required 5-year supply. However in a large and varied district such as South Somerset, a district-wide approach fails to take into account the different requirements and different characters of the individual communities that make up the district: a new house in the local market town of Castle Cary does not necessarily make up for a shortfall in housing in the strategically significant town of Yeovil or any of the primary market towns, whether they be some distance away, such as Chard or Ilminster, or even relatively close, in the case of Wincanton.
- e) Such distinctions between settlements cannot be taken into account when assessing housing land supply at the district scale, but if neighbourhood planning is to have any real meaning, then we believe they are important, not only in maintaining the hierarchy of settlements in accordance with LP strategic policy, but also in maintaining the individual character and identity of each separate settlement.
- f) In a small market town with 1,643 dwellings (2011 Census, combined parishes), an increase of 653 represents a 40% growth, potentially to take place well before the end of the LP period in 2028. The NP councils consider that this large proportionate increase may cause difficulties for the town, in terms of assimilating new residents, providing appropriate employment and infrastructure, and the potential stress on the local road network, much of which is in the form of narrow country lanes.
- g) Our policy HOU2 is an attempt to respond to the point that while the district as a whole cannot show a 5-year housing supply, in the NP area there appears to be a 38-year supply and that because the apparent excess is so substantial, we should not grant further permissions until the impact of the current pipeline has been fully absorbed and understood. We do not say that no further permissions should be granted, merely that, for the time being, we should “press the pause button” until we are sure that the town can deal with further development, very substantially in excess of the minimum requirement, in a sustainable way.
- h) We made an attempt to revise the policy at the previous consultation stage (in response to representations from SSDC and others), but we accept that this has not proved successful and we now offer a modification such that policy HOU2 would read: **“The NP Councils will resist further proposals for housing development in the Direction of Growth until substantial progress has been made on implementing current planning permissions, such that the number of dwellings represented by unimplemented planning permissions is less than five years supply of housing in the NP area at the prevailing annual rate of completions.”**
- i) In this way, the NP would do what neighbourhood plans are intended to do – it would properly acknowledge the distinctive character and function of Castle Cary and Ansford in the short term without prejudicing the implementation of the Local Plan in the longer term.

2.2 We would welcome discussions with the District Council and the examiner on appropriate forms of wording to give policy status to local aims. We invite the examiner to consider whether this would be better resolved at a hearing.

### Q3

---

- 3.1 The premise of the question is not strictly correct: policy HOU1 does indeed suggest there is a good supply of brownfield sites but, while most people in the town would wish to see brownfield sites developed before encroaching on land outside the present limits of the town, policy HOU1 does not express its support for brownfield development as a priority over green field sites.
- 3.2 We understand that national policy does not support a sequential approach to developing housing sites. However there can be little doubt that development of sites within the existing built-up area which are close to the town centre and other facilities represents a more sustainable and desirable solution to resolving a housing shortage than developing on green field land outside the present extent of the town. In a small town where several large and prominent sites have remained undeveloped and unsightly for a long period, we consider it right to identify available brownfield sites and to give encouragement and support to their development as a way of ensuring that the town develops in the most sustainable manner. We believe that the NP is the right place to make this point.
- 3.3 As for the brownfield sites that have been identified in the policy, we do not have specific evidence on the viability of their development or redevelopment, but we comment as follows:
- a) Nursery Site – planning permission to develop this site with 24 dwellings was granted as long ago as 2003 (ref 2003/00100/OUT), subsequently amended in 2014 by 14/04245/S73A; SSDC’s latest housing land supply document (August 2018) confirms that reserved matters have been approved, the conditions discharged, and a valid commencement made. As such, the permission remains extant. A recent application for variation of a condition was approved in 2016 (16/02230/S73). There is nothing in all this recent activity to suggest that development is not viable.
  - b) Hillcrest School – again, this site is the subject of two long-standing planning permissions (01/00562/FUL and 02/02107/FUL), for a total of 24 dwellings. SSDC’s latest housing land supply document (August 2018) confirms that a valid commencement has been made but we have no further information.
  - c) Constitutional Club – planning permission has been granted for 10 dwellings (17/03796/FUL), following an earlier permission for 8 dwellings. There is nothing in this recent activity to suggest that development is not viable
  - d) BMI site – this is the subject of a current planning application, ref 18/01602/FUL, for development including 81 dwellings. The site includes a listed building and there are known to be ground contamination issues arising from previous uses, but such issues have not prevented the preparation and submission of a full planning application, from which we conclude that the proposal represents a viable form of development
  - e) Red House – planning permission has been granted for refurbishment of the existing dwelling and the erection of three additional dwellings (15/04029/FUL). A current application (18/01519/FUL) seeks an additional dwelling on the site, and has yet to

be determined. The application appears to be awaiting a revised highway layout plan; there appear to be no exceptional constraints to be overcome.

- 3.4 We do not consider it is reasonable to expect that all brownfield sites will be entirely free of constraints, including the existence of heritage assets and ground contamination. However, in the light of recent activity on all these sites, involving applicants in the not inconsiderable expense of making planning applications fully supported by detailed technical assessments, we conclude that such constraints, where they do exist, are not so severe as to make development unviable. As representatives of a community which has seen prominent sites in the town remain derelict and unsightly over a long period of years, we think it right that the NP should call for early action to bring such land into beneficial use, be that housing or any other appropriate form of development.

#### Q4

---

- 4.1 We understand and have carefully considered all the points made. With regard to housing land supply, we do not accept that simply granting more and more permissions in one location at Castle Cary will necessarily increase the overall rate of provision of housing, either locally or in the district as a whole. We make this point in the NP at para 5.10 and, as pointed out in that para, draw support for this view from the conclusions of the Inspector who decided two planning appeals in the DofG. There must come a point where market forces prevail and the demand for housing here diminishes to the point where developers choose to delay implementation of available permissions. At present the supply of permissions does not seem to be the limiting factor and we say that a “pause” in granting permissions will not make any difference to housing delivery.
- 4.2 From the point of view of those charged with making planning decisions, we understand that Local Plan policy HG2 can be seen as “out-of-date”. However, the fact that such a policy no longer has the support of government does not necessarily make it a bad idea: as discussed above, we believe that in the context of a small market town, considerable efforts should be made to bring forward brownfield sites which have been underutilised for many years and which have an adverse effect on the character and appearance of the town. These sites have harmful effects for the area as a tourist destination and consequent adverse economic implications.
- 4.3 We have long been concerned that the LP policy relating to the DofG fails to provide for the preparation of a masterplan or phasing of the release of the various available sites. We have endeavoured to make the best of this unsatisfactory situation by holding discussions with landowners and developers in the interests of improving the connectivity of new housing with schools, shops and employment areas; our powers in this respect are limited but some success has been achieved and some matters remain “work in progress”. In the light of our experience and the continuing absence of any form of masterplan, we are not convinced that allowing further development at this stage would improve the provision of local infrastructure.

- 4.4 On the topic of infrastructure provision, we should point out that although there are S106 agreements associated with all the permissions granted in the Direction of Growth, and these include obligations requiring infrastructure payments of several kinds, most of these payments will not be triggered until 50% of the dwellings on any site are occupied. Consequently the release of funds for infrastructure improvements is subject to extremely uncertain timing and this has caused much frustration and delay in a community which has done its best to prepare for the future of the town. By way of example, the principal community hall in the area, Caryford Community Hall, has looked ahead to the increasing demand which will arise from a substantial population increase, has prepared detailed plans and obtained planning permission for a significant extension and other improvements. Community fund-raising and other sources have raised almost £100,000 towards the total estimated cost of over £500,000; a large proportion of the balance is potentially available from payments which could arise from developers' S106 obligations, but the way in which these are triggered makes it impossible to make financial plans almost until the very day that payments arrive. Such uncertainties suggest that the provision of much local infrastructure is likely to lag well behind the completion and occupation of new housing, and represents a further reason why we ask for a "pause" in development in the DofG, to allow community infrastructure provision to "catch up".
- 4.5 Finally on this topic, we note that discussion of housing development understandably dominates here, but this approach reinforces the perception of a single issue: if the town is to develop in a sustainable way, housing provision should proceed in parallel with employment and other facilities. It is notable that the only large site in the DofG which includes permissions for employment land is the one where no progress towards implementation appears to have been made since the grant of outline permission in 2016. Once again, this is a cause for some concern and a further reason to seek a pause in the grant of housing permissions.

## Q5

---

- 5.1 We consider that primary responsibility for monitoring should lie with the District Council in the series of annual reports which will no doubt continue to be prepared. However, the wording of policy HOU2 does suggest that there will come a point when the approach of the NP councils will change and this plainly requires an approach to monitoring housing development in the DofG and throughout the NP area.
- 5.2 As for review of the NP and the potential implications of the emerging revised LP, we accept that review of the NP is very likely to be required once the revised LP achieves a significant weight in the determination of planning applications, but the timescale for such a review will depend on various factors which cannot presently be defined. We propose the following wording for an additional section 12 to be inserted in the NP:

## **12. Monitoring and Review of the Plan**

**12.1 The NP will run concurrently with the South Somerset Local Plan and apply until the 31st March 2028. It is, however, a response to the needs and aspirations of the local community as understood today and it is recognised that current challenges and concerns are likely to change over the plan period. It is, therefore, essential for the long term success of the Plan that developments in the NP area are monitored and reviewed against the Plan's Aims and Policies.**

**12.2 It is expected that South Somerset District Council will continue to monitor progress relating to the number of dwellings and number of affordable homes delivered during the Plan period, as part of the wider monitoring responsibilities for the District. Hence monitoring of policy HOU2 will be achieved by reference to SSDC's series of annual monitoring reports and housing land availability reports.**

**12.3 At a more general level, the NP Councils will be responsible for maintaining and periodically revisiting the Plan to ensure relevance to current community needs. It is intended that a review of all the issues and concerns within the community will take place every 5 years. However, SSDC are in the process of preparing a Local Plan Review to cover the period up to 2036, and in order to maintain consistency with strategic policies it may well become necessary to review the NP before the end of the 5-year timescale. The NP councils will monitor progress on the revised LP, particularly once it has become a material consideration in the determination of planning applications, and will commence review of the NP if it becomes clear that updating is required. While the timescale of such a review cannot be predicted, we note that SSDC currently anticipate the following timescale for the preparation of the revised LP:**

- **Public consultation on preferred options: mid 2019**
- **Public consultation on publication plan: early 2020**
- **Submission to secretary of state: late 2020**
- **Examination of plan: 2021**
- **Adoption of plan: 2021**

## **Q6**

---

- 6.1 We think it a little premature, or somewhat overstating their case, for the County Council to say that a primary school site has been selected and planning permission granted: the planning permission referenced is an outline permission with all matters except means of access reserved for subsequent approval, and the description of development approved is: "... up to 165 houses, up to 2 Ha of Employment Land, a Road Linking Torbay Road with Station Road, a safeguarded Site for a New Primary School and Green Infrastructure...". Permission was granted on 21 June 2016 and although this is accompanied by an illustrative layout plan, to date no application for approval of reserved matters or for discharge of the many conditions has been submitted. In other words the current planning position is that there is a permission for housing and other forms of development which allows for the

inclusion of a site for a new primary school, but this does not specify the location, size or any other characteristic of the school.

- 6.2 We fully recognise that the County Council has the important duty and responsibility for ensuring that education places are available in the right locations and at the right time. However the authority appear to be taking this responsibility in isolation and has not provided the community, local partners or NP councils with information which confirms that it has properly considered its responsibilities and duties in respect of the role of the school in the community and the impact of relocating the school to the very edge of the town. For example the Public Services (Social Value) Act 2012 makes clear that public authorities should use their purchasing power to enhance public value. The DCLG/ Centre for Local Economic Strategies/ Association of Town and City Management paper "Developing Resilient Town Centres" (2016) identifies the role of the public economy as one of ten key factors in resilience of town centres. The removal from town centres of schools, shops and GP surgeries to edge of town locations is now well understood to be a factor in town centre decline (cf National Review of Town Centres, 2013, Scottish National Government).
- 6.3 Although in the main text of the NP we record the expressed view of the townsfolk that the school should remain where it is and be expanded, in Policy INF1 we state that it is the wish of the town that the school – which could be a new one – be ‘in close proximity to the town centre’. It is clear to us that the only reason for the County Council’s suggested siting off Station Road is that the County Council happens to own that piece of land! This does not mean that this is a good place to put a primary school - the siting of which is important and should not depend on chance ownership of land. It appears that no thought has been given to exchanging or selling this land to obtain a site better related to the town centre. For us to accept the view of the Education Authority at this stage would be seen as a betrayal by our residents.
- 6.4 As for the necessary timing for additional school places and the numbers required to be accommodated, our attempts to meet with the SCC to discuss their assumptions on numbers or the need for the primary school have met with mixed and sometimes confusingly different responses. We record at para 26 of our regulation 14 consultation statement our disappointment at the failure of the SCC to make any response at all; now that we have a response at the current stage, this appears to provide yet another formula for calculating the requirement for school places at a time when the opportunity for discussion and explanation is drawing to a close. At the time of writing (1 March 2019), we have only just received full details of the SCC response to the Reg 16 consultation: while this contains much information which is broadly familiar, we are not convinced that we yet have all the relevant evidence which has caused the Education Authority to come to what appears to be a final decision. Furthermore this decision (if such it is) has not been the subject of any of the usually accepted types of consultation with relevant stakeholders.
- 6.5 Given the importance we attach to education issues, and the difficulties we have hitherto had to face in engaging with the relevant authority, we welcome the more

transparent approach now emerging from SCC. However, it is unfortunate that the arrival of important additional information comes at a time when we are under pressure to respond to the examiner. In the circumstances we propose to continue to engage with SCC in the interests of obtaining a fuller understanding of their position but, for an informal group of volunteers, this may take a little while, particularly as the chair of the group will not be available for the next week or so.

- 6.6 In the light of all the above, we are very unwilling at this stage to offer modifications to the NP, though we are open to the possibility that our position could change once we have had further discussions with SCC.
- 6.7 We invite the examiner to consider whether this topic also would be better resolved at a hearing.

**By way of summary**, it will be apparent that we acknowledge government policy without necessarily agreeing with what it says; we are disappointed in the way the District Council have handled the concept of the DofG but we have endeavoured to deal with the inevitable development proposals in a constructive manner; we wish to see our primary school remain in its current location and are not yet convinced that this is impossible.

“Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area. They are able to choose where they want new homes, shops and offices to be built, have their say on what those new buildings should look like and what infrastructure should be provided...”

*NPPF para 001 Reference ID: 41-001-20140306 6 March 2014*

“Neighbourhood plans are a powerful tool to help communities shape their local area, making sure the right homes are built in the right places”

*Dominic Raab, Housing and Planning Minister, MHCLG press release 19 March 2018*

These fine words are examples of why we were motivated to prepare a NP for Castle Cary and Ansford. We have attempted throughout to be constructive in our approach to dealing with the context and constraints in which we have had to work. If these words and policy framework are to mean what they say, we ask that they are part of the guide for assessing our NP and helping it become the shared vision of the local community as part of the statutory development plan.

CC&ANP Working Group  
1 March 2019