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Sent: 11 January 2019 13:26
To: Penna, Andrew; team4@gladman.co.uk; Peter Isherwood; Evans, Martin
Cc: Plan admin; Jason Tait
Subject: APP/D3315/W/18/3205705 Gladman Langaller Lane Creech St Michael
Attachments: Pre-inquiry Note - Taunton.doc; Inquiry Timetable.doc
Importance: High

Dear All

The inspector has asked me to send you his pre-inquiry note & his draft timetable for the Inquiry starting on Tuesday.

Kind regards

Tim Salter

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Appeal Ref: APP/D3315/W/18/3205705
Land off Langaller Road, Creech St. Michael, Somerset TA3 5EB

Inquiry commencing on 15 January

Pre-inquiry Inspector Note

This is a note prepared to assist in the smooth running of the Inquiry.

Plans

The Statement of Common Ground (SOCG) indicates that the plans for which planning permission is sought are the location plan, the development framework plan and the site access drawing (para 5). However, given that all matters apart from access are reserved the plans to be considered ought to be:

Location Plan CSA/3042/109 Rev A (CD1.23)

Access Arrangement: P16071 – 002 Rev B (CD1.25)

I note that a revised access plan has been provided and I assume that the appellants would wish me to consider this updated plan - P16071 – 002 Rev E. I do not intend to consider the Illustrative Section Drawings of the Site Access AA 3042/110, BB 3042/111 and CC 3042/112 (CD1.26-28) as part of the application as these do not reflect the latest access plan.

I note that there are a number of other plans attached to the Technical Notes 01 and 02 showing off-site highway and footpath improvements explained within the text and modified to take into account a road safety audit (RSA). I do not intend to treat these plans as forming part of the appeal rather they are indication as to the type of off-site mitigation/improvements that could be undertaken. The details would need to be agreed by condition, assuming that such a condition would meet the tests.

Statements of Common Ground

The SOCG refers to saved policies of the Taunton Deane Local Plan 2004 but my understanding was that these have been superseded by the Core Strategy and the Site Allocations and Development Management Plan.

The submission of a SOCG on highways and transportation is anticipated.

Is there an anticipated date for the publication of the Examiner's Report on the Creech St Michael Neighbourhood Plan?

Additional Documentation

I note that additional documentation has been submitted recently. This includes:

- Technical Notes 1 and 2 (CD6.6 and CD6.9)
- Revised Transport Assessment (TA) (CD6.2) and Travel Plans (TP) (CD6.3 and 6.8)
- Tree Survey and Impact Assessment

I have addressed the purpose of Technical Notes above. As I understand it the revised TA and TP, which were submitted at the end of November 2018, are intended to resolve highway and transportation issues raised during the application process and in the decision notice which the appellants were unable to address before the application was determined. With regard to the latter I note that the draft planning obligation under Section 106 of the Planning Act (S106) requires a TP to be agreed in any event.

The Tree Survey and Impact Assessment updates information contained within the Landscape and Visual Assessment (CD1.6) and Tree Report (CD1.10) submitted with the application to take into account revisions to the access arrangements, clarifying the extent of tree and hedgerow removal likely to be required.

It would be helpful if the appellants confirmed my understanding of the purpose of the additional documentation at the start of the inquiry. However, I am minded to accept the information as its purpose appears to be to narrow the areas of dispute between the parties.

I also note the Council's expectation that the appellants will submit further information prior to the opening of the inquiry. With regard to this I would comment as follows:

- A contribution is included within the S106 to deal with bus provision. How this is allocated would be a matter for the County Council. In addition the detail of bus stops could be conditioned if necessary.
- See my comments about the TP above.
- If the response to the County Council's RSA relates to modifications to the off-site highway works see above.

Planning Conditions

Has a list of conditions been agreed between the main parties? If so the list should be provided as soon as possible, preferably before the commencement of the inquiry.

Obligations

I have been provided with an electronic version of a draft Unilateral Undertaking (UU) under S106. In order for the UU to be taken into account, it will need to be completed, executed and made available to the Inspector before the close of the Inquiry at the latest. I assume that the UU has been modified to take into account the comments from the District Council. Is the highway contribution the only remaining area to be resolved?

Main Issues and Other Issues

Based on consideration of the evidence thus far the main issues are considered to be:

- (1) whether the proposal would be acceptable having regard to the development plan's strategy, the accessibility of existing and planned services by a range of travel modes and the availability of infrastructure;
- (2) the effect on the character and appearance of the area;
- (3) the effect on the safe and efficient operation of the highway network; and,
- (4) whether any harm in relation to issues (1) to (3) above and any conflict with the development plan is outweighed by other material considerations.

It would help me if closing submissions are structured to follow these main issues.

Agricultural land – is there information available in the evidence base about the grade of the land? Is it the best and most versatile land? I have checked the appellant's planning statement and socio-economic sustainability statement but could not find the information.

Inquiry Timetable

I attach a draft timetable based on time estimates and using a topic based approach to the presentation of evidence. Interested parties will be heard depending on their availability and the timetable will be adjusted accordingly.

Housekeeping

The Council should check that the room for the inquiry will be large enough for the anticipated numbers, particularly for the first day. Power and Wi-Fi connections should be available. A retiring room and parking space should ideally be available.

Deadline

I do not anticipate a response to this note before the opening of the inquiry, other than provision of a draft list of agreed conditions. Other matters raised will be dealt with at the start of the inquiry or as part of the presentation of evidence as appropriate.

Mark Dakeyne

INSPECTOR

11 January 2019

Enclosure: Draft timetable

Draft Inquiry Timetable

Appeal Ref: APP/D3315/W/18/3205705
Land off Langaller Road, Creech St. Michael, Somerset TA3 5EB

Venue - The Albermarle Centre, Albemarle Road, Taunton, Somerset, TA1 1BA

Day 1 – Tuesday 15 January 1000 hours

Morning	Afternoon
10.00 – 11.30 Openings and Procedural Issues 11.30 – 13.00 Parish Councils and other Interested Parties	14.00 – 15.00 Andrew Leithgoe (EIC ¹) 15.00 -16.00 Andrew Leithgoe (XE ²) 16.00 – 17.00 Silke Gruner (EIC)

Day 2 – Wednesday 16 January 0930 hours

Morning	Afternoon
09.30 – 10.30 Silke Gruner (XE) 10.30 – 12.00 Jeff Troake (EIC) 12.00 – 13.00 Jeff Troake (XE)	14.00 - 14.30 Jeff Troake (XE contd) 14.30 – 15.30 David Schmacher (EIC) 15.30 – 17.00 David Schmacher (XE)

Day 3 – Thursday 17 January 0930 hours

Morning	Afternoon
09.30 – 12.30 Paul Smith (EIC & XE)	13.30 – 16.00 Jason Tait (EIC & XE)

Day 4 – Friday 18 January 0930 hours

Morning	Afternoon
09.30 – 11.00 Conditions and Obligations 11.00 -13.00 Closing Submissions	Reserve

¹ Evidence in Chief

² Cross Examination

Day 5 – Tuesday 22 January 0930 hours

Morning	Afternoon
Site Visit	Reserve

Day 6 – Wednesday 23 January 0930 hours

Morning	Afternoon
Reserve	Reserve

Mark Dakeyne
Inspector
11 January 2019