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# Informal Discussion by Members of Area East Committee

## Wednesday 13th October 2021

### 9.00 am

## A virtual consultative meeting via Zoom meeting software

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The following members are requested to attend this virtual consultation meeting:

Robin Bastable  
Hayward Burt  
Tony Capozzoli  
Nick Colbert  
Sarah Dyke

Henry Hobhouse  
Charlie Hull  
Mike Lewis  
Kevin Messenger  
Paul Rowsell

Lucy Trimnell  
William Wallace  
Colin Winder

There are no planning applications to consider this month.

Any members of the public wishing to address the virtual consultative meeting during either Public Question Time or regarding a Planning Application, need to email [democracy@southsomerset.gov.uk](mailto:democracy@southsomerset.gov.uk) by 9.00am on Tuesday 12<sup>th</sup> October 2021.

The meeting will be viewable online at:

[https://www.youtube.com/channel/UCSDst3IHGj9WoGnwJGF\\_soA](https://www.youtube.com/channel/UCSDst3IHGj9WoGnwJGF_soA)

For further information on the items to be discussed, please contact:  
[democracy@southsomerset.gov.uk](mailto:democracy@southsomerset.gov.uk)

This Agenda was issued on Monday 4<sup>th</sup> October 2021

Jane Portman, Chief Executive

**This information is also available on our website  
[www.southsomerset.gov.uk](http://www.southsomerset.gov.uk) and via the mod.gov app**

## Information for the Public

In light of the coronavirus pandemic (COVID-19), Area East Committee will meet virtually via video-conferencing to consider reports. As of 7 May 2021 some interim arrangements are in place for committee meetings.

At the meeting of Full Council on 15 April 2021 it was agreed to make the following changes to the Council's Constitution:

- a) To continue to enable members to hold remote, virtual meetings using available technology;
- b) To amend Part 3 (Responsibility for Functions) of the Council's Constitution to allow those remote meetings to function as consultative bodies and delegate decisions, including Executive and Quasi-Judicial decisions, that would have been taken by those meetings if the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 had continued in force to the Chief Executive (or the relevant Director in the Chief Executive's absence) in consultation with those meetings and those members to whom the decision would otherwise have been delegated under Part 3 of the Constitution;
- c) The delegated authority given under (b) will expire on 31 July 2021 unless continued by a future decision of this Council;

For full details and to view the report please see -

<https://modgov.southsomerset.gov.uk/ieListDocuments.aspx?CId=137&MId=2981&Ver=4>

Further to the above, at the meeting of Full Council on 8 July 2021, it was agreed to extend the arrangements for a further 6 months to 8 January 2022.

For full details and to view the report please see -

<https://modgov.southsomerset.gov.uk/ieListDocuments.aspx?CId=137&MId=3033&Ver=4>

## Area East Committee

Meetings of the Area East Committee are usually held monthly, at 9.00am, on the second Wednesday of the month (unless advised otherwise). However during the coronavirus pandemic these meetings will be held remotely via Zoom.

Agendas and minutes of meetings are published on the council's website

[www.southsomerset.gov.uk/councillors-and-democracy/meetings-and-decisions](http://www.southsomerset.gov.uk/councillors-and-democracy/meetings-and-decisions)

Agendas and minutes can also be viewed via the mod.gov app (free) available for iPads and Android devices. Search for 'mod.gov' in the app store for your device, install, and select 'South Somerset' from the list of publishers, then select the committees of interest. A wi-fi signal will be required for a very short time to download an agenda but once downloaded, documents will be viewable offline.

## **Public participation at meetings (held via Zoom)**

### **Public question time**

We recognise that these are challenging times but we still value the public's contribution to our virtual consultative meetings. If you would like to participate and contribute in the meeting, please join on-line through Zoom at: <https://zoom.us/join> You will need an internet connection to do this.

Please email [democracy@southsomerset.gov.uk](mailto:democracy@southsomerset.gov.uk) for the details to join the meeting.

The period allowed for participation in Public Question Time shall not exceed 15 minutes except with the consent of the Chairman and members of the Committee. Each individual speaker shall be restricted to a total of three minutes.

If you would like to address the virtual consultative meeting during either Public Question Time or regarding a Planning Application, please email [democracy@southsomerset.gov.uk](mailto:democracy@southsomerset.gov.uk) by 9.00am on Tuesday 12th October 2021. When you have registered, the Chairman will invite you to speak at the appropriate time during the virtual meeting.

### **Virtual meeting etiquette:**

- Consider joining the meeting early to ensure your technology is working correctly.
- Please note that we will mute all public attendees to minimise background noise. If you have registered to speak during the virtual meeting, the Chairman will un-mute your microphone at the appropriate time.
- Each individual speaker shall be restricted to a total of three minutes.
- When speaking, keep your points clear and concise.
- Please speak clearly – the Councillors are interested in your comments.

## **Recording and photography at council meetings**

Recording of council meetings is permitted, however anyone wishing to do so should let the Chairperson of the meeting know prior to the start of the meeting. The recording should be overt and clearly visible to anyone at the meeting, but non-disruptive. If someone is recording the meeting, the Chairman will make an announcement at the beginning of the meeting.

Any member of the public has the right not to be recorded. If anyone making public representation does not wish to be recorded they must let the Chairperson know.

The full 'Policy on Audio/Visual Recording and Photography at Council Meetings' can be viewed online at:

<http://modgov.southsomerset.gov.uk/documents/s3327/Policy%20on%20the%20recording%20of%20council%20meetings.pdf>

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# **Informal Discussion by Members of Area East Committee**

**Wednesday 13 October 2021**

## **Agenda**

### ***Preliminary Items***

#### **1. Minutes of Previous Meeting**

To approve as a correct record the minutes of Area East meetings held on 10th March, 19<sup>th</sup> May, 9<sup>th</sup> June and 14<sup>th</sup> July 2021. The Draft minutes can be viewed at:

<https://modgov.southsomerset.gov.uk/ieListMeetings.aspx?CId=429&Year=0>

#### **2. Apologies for Absence**

#### **3. Declarations of Interest**

In accordance with the Council's current Code of Conduct (as amended 26 February 2015), which includes all the provisions relating to Disclosable Pecuniary Interests (DPI), personal and prejudicial interests, Members are asked to declare any DPI and also any personal interests (and whether or not such personal interests are also "prejudicial") in relation to any matter on the Agenda for this meeting.

Members are reminded that they need to declare the fact that they are also a member of a County, Town or Parish Council as a Personal Interest. Where you are also a member of Somerset County Council and/or a Town or Parish Council within South Somerset you must declare a prejudicial interest in any business on the agenda where there is a financial benefit or gain or advantage to Somerset County Council and/or a Town or Parish Council which would be at the cost or to the financial disadvantage of South Somerset District Council.

#### **Planning Applications Referred to the Regulation Committee**

The following members of this Committee are also members of the Council's Regulation Committee:

Councillors Sarah Dyke, Paul Rowsell and William Wallace.

Where planning applications are referred by this Committee to the Regulation Committee for determination, Members of the Regulation Committee can participate and vote on these items at the Area Committee and at Regulation Committee. In these cases the Council's decision-making process is not complete until the application is determined by the Regulation Committee. Members of the Regulation Committee retain an open mind and will not finalise their position until the Regulation Committee. They will also consider the matter at Regulation Committee as Members of that Committee and not as representatives of the Area Committee.

#### **4. Date of next Meeting**

Members are asked to note that the next scheduled meeting of the committee will be held virtually using Zoom virtual software on Wednesday 10<sup>th</sup> November 2021.

5. **Public Question Time**
6. **Chairman's Announcements**
7. **Reports from Members**

*Items for Discussion*

8. **Area East Outside Organisations - Appoint a Member to the Community Accessible Transport Committee 2021/22 (Executive Decision)** (Pages 6 - 7)
9. **Infra-Red Camera Update** (Pages 8 - 10)
10. **Area East - Area Chapter 2021/22 Update Report** (Pages 11 - 16)
11. **Area East Forward Plan** (Pages 17 - 18)
12. **Area East Planning Appeals (For information)** (Pages 19 - 34)

**Please note that members of the Area Committee will make a recommendation on the above reports. The decision will be taken by the Chief Executive.**

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## Area East Outside Organisations – Appointment of a member to the Community Accessible Transport (CAT) Committee for 2021/22 (Executive Decision)

Strategic Director: Nicola Hix – Director Strategy & Support Services  
Specialist: Angela Cox, Democratic Services Specialist  
Lead Officer: Michelle Mainwaring, Case Officer, Democratic Services  
Contact Details: Michelle.mainwaring@southsomerset.gov.uk

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### Purpose of the Report

The Committee is asked to appoint a member to serve on the Community Accessible Transport Committee for the municipal year 2021/22 as a non-voting member.

### Recommendations

That Area East Committee appoint a member to serve on the Community Accessible Transport Committee for the municipal year 2021/22 as a non-voting member.

### Area East Outside Organisation

Name of Organisation	Number of Council Nominees	Period of Appointment	Aims & Objectives	Status of Councillor	Frequency of meetings	Venue of meetings
South Somerset Community Accessible Transport	1	Remainder of municipal year	The South Somerset Community Accessible Transport is a non-profit making charity, whose objective is to provide transport at an affordable cost to people unable to travel via the normal public transport	Non-Voting member	4 times a year but more frequently if necessary	Balsam Centre, Wincanton

### Report

As requested by Members at their meeting on 14<sup>th</sup> July 2021, the Area East Committee are asked to appoint a non-voting member to the Somerset Community Accessible Transport CAT bus committee.



## **South Somerset District Council Financial Implications**

None for the Area East Committee. Mileage claimed by Councillors attending meetings of outside bodies and working groups to which they are appointed is approximately £1,000pa and is within the existing budget for Councillors travelling expenses held by Democratic Services.

### **Council Plan Implications**

Council Plan 2020 – 2024 – Council Values:

Getting things done - Empowering dedicated and flexible employees and elected members focussed on delivery.

Working collaboratively - Working with partners to enhance outcomes for our communities.

### **Carbon Emissions and Climate Change Implications**

None.

### **Equality and Diversity Implications**

Full consideration to equalities was given in producing the Policy on the Roles and Responsibilities of Councillors appointed to Outside Bodies.

### **Background Papers**

- Agenda and Minutes - Area East Committee, 9 June 2021
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## **Area East Infra-Red Camera – Update**

Strategic Director:	Kirsty Larkins, Strategic Director (Service Delivery)
Service Manager:	Vicki Dawson Lead Specialist (Environment)
Lead Officer:	Cara Naden & Joshua Bennet, Environment Specialists
Contact Details:	Cara.naden@southsomerset.gov.uk

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## **Purpose of the Report**

To update members on progress to date of the infra-red camera project.

## **Public Interest**

This report provides members with details of progress made towards purchasing infra-red cameras to be made available to communities in Area East. The project was agreed as a priority for members in the Council Plan as part of the Area Chapter.

## **Recommendations**

That Area East members;

1. Note and comment on the report.
2. Endorse the approach and details of the scheme.

## **Background**

Members will recall that the aspiration to have infra-red cameras available to communities in Area East was agreed as part of the Area Chapter for 2021/22.

Members received a detailed report on the recommended approach to delivering the project at the informal area committee meeting in May of this year.

## **Project Update**

The scheme aims to help people identify areas in their homes that would benefit from insulation and draft proofing to improve energy efficiency and reduce heat loss and fuel bills.

The project will pilot two slightly different approaches. One camera will be hosted by Bruton Town Council's Retrofit project and will be made available to individuals and Town & Parish councils as part of the wider Retrofit Project. The second camera will be held and distributed by the SSDC Locality team. Both cameras will be available in



November to take advantage of the most appropriate conditions for taking thermal images when there is a minimum 10 degrees temperature difference between outside and inside the home.

SSDC Environment Team have researched the options in terms of available technology.

There are different cameras available which differ in terms of cost and technical specification.

A number of factors have been considered.

**Durability** – Equipment needs to be robust and easy to transport and withstand use by a range of abilities. Some options operate as a stand alone camera and others are plugged into other equipment (phone or tablet) and this has been considered.

**Ease of use** – This is fairly specialist equipment and the recommended approach will be pilot use by some with technical experience and some without.

**Quality of images** – The camera needs to produce images that are good enough to enable interpretation by those with and without experience.

**Cost** – The option of purchasing one, more expensive but potentially more robust camera has been considered. Reliance on one camera reduces the number of users in a relatively small window of opportunity to use. The preferred option of purchasing two, more affordable cameras will enable multiple cameras to be loaned out, maximising the benefit to the community.

The Environment Team has also looked at other similar schemes. The FLIR OnePro is the option used by other schemes that regularly lend out Thermal Imaging cameras for public use. They have been used as they are good quality and easy to use and the householder can directly download and keep the images. Schemes that use these include the C.H.E.E.S.E project <https://cheeseproject.co.uk/> (one of the directors is a top specialist in thermal imaging having designed thermal imaging cameras for the Government) and Octopus Energy's thermal imaging loan scheme <https://octopus.energy/blog/flir-thermal-cameras/>

The cameras are designed to be robust and durable for professional use, are built to take the abuse of working on a jobsite and are rated to take a drop from 1.8 meters and built to last. They are also a lot more affordable than other options. They are designed to plug into a smart phone or tablet and produce images of the quality required to interrogate and interpret in order to identify potential improvements.

The team is now ready to purchase a couple of thermal Imaging cameras and promote availability for use in Area East.

A how to use instruction sheet will be included along with links to CSE Home Energy advice and grants for those eligible to apply for home improvement solutions.

We will review the success of the trial launch with a follow up to those who have used the thermal imaging camera a year after its use to see what home improvement measures have been undertaken.

Further details of how to book the camera will be distributed to Area East Members along with promotional communication to Town and Parish Councils and community groups.

### **Financial Implications**

The cost of purchasing the two cameras is £558. The purchase will be funded from Area East Discretionary budget.

### **Council Plan Implications**

The infra-red camera initiative is a specific project in the Area East Chapter 2021/22.

### **Carbon Emissions and Climate Change Implications**

Thermal images will show up where homes would benefit from improved insulation and draught proofing. Homes account for 22% of the UK carbon emissions and there needs to be an urgent application of energy efficiency improvements if we are going to hit the carbon reduction targets necessary to stop run away climate breakdown. Using the thermal imaging cameras will stimulate action for the homeowner to improve energy efficiency and therefore reduce carbon emissions.

### **Equality and Diversity Implications**

The intention is to make the equipment available to all.

### **Background Papers**

- Area Chapter Outturn report, Appendix A - Area East Committee (Informal) May 2021
  - Area East Chapter 2021/22
-

## Area East Chapter Update 2021/22

Strategic Director:	Kirsty Larkins, Strategic Director (Service Delivery)
Lead Specialist:	Jess Power, Strategic Planning (Strategy & Commissioning)
Lead Officer:	Tim Cook, Locality Manager (Service Delivery)
Contact Details:	tim.cook@southsomerset.gov.uk

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## Purpose of the Report

To provide Members with an update of this year's delivery of the Area Chapter for Area East.

## Public Interest

The priorities for Area East are used to influence the development of the Council Plan. Some priorities identified clearly have an area focus and are better placed in an Area Chapter. The Area Chapter presents key projects and areas of work planned for the coming year by teams from across the whole organisation.

This report provides members with an update on the 20/21 Chapter.

## Recommendations

That members note and comment on the report.

## Background

Area Chapters focus on the priorities of the Area Committee. These priorities were identified by Members and SSDC Area + teams through member workshops, other service plans and data led information. The Chapter forms part of the Council Plan.

Area + teams consist of officers across the council who are best placed to provide the resources necessary (people and financial) in order to delivery each priority set out in the chapter. Each action or project identified in the plan is allocated a lead officer who collaborates with other officers across the council and/or the local community to deliver the project. The overall approach to delivery is based on the principle that we will enable others to deliver where we can, partner where it makes sense and deliver if necessary.

Members will appreciate the ongoing restrictions and road maps out of the pandemic have ultimately meant that some project work has been difficult to achieve, complete or has caused delays.

Appendix A sets out this year's progress and overview of the area Chapter focus priorities.

### **Community Grant Awards**

There have been three grants awarded so far this financial year and there are two applications pending. The ability for community groups to delivery projects is likely to be hindered due to the pandemic, however hopefully we will see an increase in requests over the next 6 months.

If Members are aware of any groups who would benefit from a Community grant please ask them to check our website for further information and eligibility <https://www.southsomerset.gov.uk/your-council/your-council-plan-and-strategies/communities/grants-and-other-support-for-the-voluntary-and-community-sector/> or contact [Communities@southsomerset.gov.uk](mailto:Communities@southsomerset.gov.uk)

Grants are awarded to charities, non-profit organisations, Town and Parish Councils. We can award up to a maximum of 50% of the application value and request there is support from the Parish or Town Council, as well as having considered other possible funding options. Requests between £101 and £12,500 are considered under this scheme.

Grant funding is available for a range of projects, which benefit the community including:

- Covering the cost of hiring a room/pitch or equipment to help start new activities
- Booking a coach or activity leader to help increase use of local facilities
- Helping to subsidise the cost of transport to get your idea moving
- Training for volunteers to make a difference in your community
- Getting some expert help for designs or other advice and guidance
- Environmental projects and initiatives

Revenue balance remaining (minus pending applications) and to be spent by end of financial year is £7,167

Capital balance remaining, this is a rolling programme is £70,000

### **Financial Implications**

None for this report.

The priorities have been developed taking into account the SSDC Corporate plan and Area Chapter priorities.

### **Carbon Emissions & Climate Change Implications**

This is considered on an individual project and programme basis as appropriate. The overall priority is to seek to create more balanced communities where people can live, work and get access to the services and facilities they need on a daily basis. Area working (Area+) helps to improve access to facilities, activities and services, reducing the need to travel.

All Community Grants applications are now assessed and scored against the environmental impact of projects.

### **Equality and Diversity Implications**

This is considered on an individual project and programme basis as appropriate. All Area Plans will have an Equality Impact Assessment.

### **Background Papers**

- Area Chapter Outturn report, Appendix A - Area East Committee (Informal) May 2021
  - Area East Chapter 2021/22
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Appendix A				
	<b>Area East Chapter 2021-22</b>	<b>Area + Team</b>		
	<b>Project description</b>	<b>Lead Officer</b>	<b>Lead Service</b>	<b>Half yearly update</b>
Economy  Page 14	To implement specific Covid-19 Economic Recovery programmes that suit the needs based on the local impact on businesses	Joe Walsh	Economy	Mandatory grant funding through the 'Restart Grant' administered and delivered to businesses. Discretionary Grant Fund administered and delivered to businesses. Various support initiatives promoted to businesses to support recovery and growth. Work underway to determine future spend of remaining Additional Restrictions Grant Funding to ensure suitable grant schemes are in place to support businesses through recovery, revitalisation and growth. WBF has been offered to eligible town councils in order to make improvements to their high street to aid recovery.
	Work towards providing employment land and business units of appropriate sizes readily available for uptake by business and residents	Joe Walsh	Economy	Supporting Somerset County Council where required on the Bruton Enterprise Centre that has recently opened. Work continues to explore town centre work space. Working closely with SSDC's Planning Team to support where necessary.
	Continue to support key businesses including work with the Chamber of Commerce and other partners	Joe Walsh	Economy	Attendance at local Chambers and Business Groups, good connections through the Regeneration Team. Officers continue to hold positions on the Manufacturing Hub Steering Group and the South Somerset Place Leadership Group.
	To pilot circular initiatives that have economic and social benefits including the promotion of repair, re-use, recycle	Joe Walsh	Economy	Environmental projects, including circular initiatives, are being included within the Market Towns Investment Group funding in partnership with Town Councils.
	To support the creation of business directories to support; the food and drink sector, tourism sector and environmental / green energy sector.	Joe Walsh	Economy	Work is ongoing with the Tourism department to upload businesses to an online map that will feature within the new tourism website. Take up of the opportunity has not been as high as expected and promotion is required to increase membership. Currently being promoted via 'Get Sussed. and business newsletters.
Environment	Support community led initiatives that combat climate change	Tim Cook	Locality	Support provided through MTIG funding for Wincanton Bike and Benches project. Other grant requests received and awaiting assessment/award
	Support the community led Active Travel projects (Wincanton to Bruton, Limington to Yeovil and Milborne Port to Sherborne	Jess Power/Charlotte Fry	Strategy & Commissioning	Work on Bruton to Wincanton route in progress and has expanded to continue the route to Henstridge. Meeting arranged to help the Milborne route move forward.
	Produce a Local cycling and walking infrastructure plan for Wincanton (funding dependent)	Jess Power/Charlotte Fry	Strategy & Commissioning	Project paused due to change in staff. Will look at picking this up again this autumn.
	Deliver species monitoring training for Countryside staff and volunteers to enable them to carry out protected species monitoring and habitat enhancement work at	Katy Menday	Leisure & Recreation	Covid restrictions delayed training opportunities. Planned for autumn 2021.
	To support community groups and Environment Champions to deliver a range of ecological and environmental improvements across the Area	Katy Menday	Leisure & Recreation	Parish Environment champions supported through Get Sussed newsletter, events, spring resource pack and opportunity to participate in No Mow trials.
	Promote and support partners in delivering environmental improvements to Blackmoor Drive pond	Steve Fox	Environment Services	These are predominantly winter planned works

	Project description	Lead Officer	Lead Service	Half yearly update
	Campaign and engage with Town and Parish Councils and residents around local enforcement related issues	Clare Warman	Locality	Liaison with 6 Town/Parish Councils within Area East, 10 patrols have taken place so far. 1 x new DF bin, 1 re-site and 1 suggested re-site. Education and liaison with the public re littering / dog foul occurs when patrolling. Area East also hosted a Playday Event where the "Bin-It Bug" competition was introduced - to educate our little people on the importance of not dropping litter / picking up dog foul and recycling. Over 100 entries were submitted from Area East..
Business 15	To proactively intervene on the progress of targeted housing sites in the area.	Peter Paddon	Place and Recovery	No specific sites with issues other than phosphates identified
	To support the communities to enable suitable and appropriate development in rural areas and support community land trust proposals.	Peter Paddon	Place and Recovery	Charlton Horethorne CLT are working with Land owners to secure a piece of land to enable them to proceed with a development of affordable housing. We have also authorised a small grant for operational costs and expect a grant application for feasibility work once the land has been secured.
	Enable the delivery of good quality housing in appropriate places across all tenures, to meet community needs.	Peter Paddon	Place and Recovery	We always ensure that we get the best mix and type of accommodation during planning consultations for applications submitted and work closely with Registered Providers to achieve this.
	To strive to minimise the carbon footprint of all housing. Working towards Zero emissions.	Peter Paddon	Place and Recovery	We work closely with the registered providers on developments to minimise the carbon footprint, this is also their aim and so always strive to be as energy efficient as possible
	Support Neighbourhood planning as a tool to deliver suitable and appropriate local housing.	Peter Paddon	Place and Recovery	Queen Camel have had a referendum in May 2021 and their NHP has now been made, North Cadbury and Yarlinton have had their NHP regulation 14 consultation in June - August 2021 (with an extension to September 2021 for additional evidence), Milborne Port has had the NH area designated in December 2019 and now able to commence work on their NHP. Keinton Mandeville have had their NH area designated in September 2021 and will now be able to start work on their NHP.
	Work closely with Parish and Town Councils of Castle Cary and Ansford on new housing sites	Peter Paddon	Place and Recovery	we will make sure that the parish and town council are consulted/contacted on any areas regarding housing that may affect the parish - this was done previously when tenure was changed on a site in Castle Cary
	To Pilot a programme for additional planning guidance for Members	Peter Paddon	Place and Recovery	This is being looked at on an SSDC basis and a pilot has not been commenced as yet
	Pilot project to facilitate communities to give advice and improve energy efficiency measures in existing housing stock by identifying heat loss through the use of tools such as thermal imaging	Tim Cook	Environment	Progress on this scheme provided in a seperated report on this agenda.

	Project description	Lead Officer	Lead Service	Half yearly update
Healthy, Self-reliant Communities	Support a range of improvements to community facilities through S106 and Community grant	Tim Cook	Locality	Please see S106 and Community projects below
	Continue to support the South Somerset community accessible transport scheme	Jess Power/Charlotte Fry	Strategy & Commissioning	No support requests received since recent staff changes.
	Maintain the network of volunteer led health walks through promotion, training and support	Julia Guy	Locality	Health Walks have restarted after coded. We have 3 Health Walks in Area East with good attendance of over 300 walkers during the first quarter from March to July.
	Deliver a programme of Play Days in towns/villages in Area East.	Julia Guy	Locality	Usual Play day events were unable to be delivered due to uncertainty around Covid restrictions. A successful smaller Play day event was held in Wincanton site in the summer instead.
	Tackle social isolation by developing new wellbeing initiatives and continue to support the Balsam Centre	Leigh Rampton	Communities	A detailed report will be provided with a request for the Healthy Living Centre revenue support to be released in November.
	Support the transition of new leisure operating contract in Wincanton, along with existing centre improvement	Jess Power	Strategy & Commissioning	A contract monitoring regime and project board has been set up for the leisure contract as a whole and the new operator will provide annual reports to members. Centre improvements will be complete by mid 2022.
	Support the transition of the Heart of Wessex Community Rail Partnership to a new CIC serving Dorset and Somerset and secure representation by SSDC on this new body	Jess Power	Strategy & Commissioning	Project paused due to change in staff. Will look at picking this up again this autumn.
S106 funded project support	S106 funding towards equipped play at Henstridge Play Area	Nathan Turnball	Locality	Funding awarded. Waiting for project completion
	S106 funding towards equipped play at Gainsborough Play Park, Milborne Port	Debbie Haines	Locality	Funding awarded. Project completed and payment of invoices due.
Project support	Community grant advice and support to Abbey Fishponds water resistant path project	Nathan Turnball	Locality	Payment made and project completed.
	Community grant - advice and support to Radio Ninesprings local community radio FM transmitter	Adrian Moore	Locality	Funding awarded. Radio transmitter installed. Waiting for final invoices from Radio Ninesprings in order to release funds.



## Area East Forward Plan

Director: Nicola Hix, Strategy and Support Services  
Agenda Coordinator: Michelle Mainwaring, Case Officer (Strategy & Commissioning)  
Contact Details: Michelle.mainwaring@southsomerset.gov.uk

## Purpose of the Report

This report informs Members of the agreed Area East Forward Plan.

## Recommendations

Members are asked to note and comment upon the proposed Area East Forward Plan as attached, and to identify priorities for any further reports

## Area East Committee Forward Plan

The forward plan sets out items and issues to be discussed over the coming few months. It is reviewed and updated each month, and included within the Area Committee agenda, where members of the Area Committee may endorse or request amendments. Members of the public, councillors, service managers, and partners may also request an item be placed within the forward plan for a future meeting, by contacting the agenda co-ordinator.

Items marked *in italics* are not yet confirmed, due to the attendance of additional representatives.

To make the best use of the Area Committee, the focus for topics should be on issues where local involvement and influence may be beneficial, and where local priorities and issues raised by the community are linked to SSDC corporate aims and objectives.

Further details on these items, or to suggest / request an agenda item for the Area East Committee, please contact one of the officer's names above.

## Background Papers

None.

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## Area East Committee Forward Plan

Items marked *in italics* are not yet confirmed, due to the attendance of additional representatives.

Further details on these items, or to suggest / request an agenda item for the Area East Committee, please contact the agenda coordinator at [democracy@southsomerset.gov.uk](mailto:democracy@southsomerset.gov.uk)

Meeting Date	Agenda Item	Lead Officer
November 2021	Balsam Centre Annual Report	Terena Isaacs, Locality Officer
<i>TBC</i>	<i>Nitrate river pollution update</i>	<i>Lead Principal Planner</i>
<i>TBC</i>	<i>Update on Wincanton Sports Ground</i>	<i>Tim Cook – Locality team Manager</i>

## Planning Appeals

Director:	Kirsty Larkins, Service Delivery
Lead Officer:	John Hammond, Principal Lead Planner
Contact Details:	John.hammond@southsomerset.gov.uk

## Purpose of the Report

To inform members of the appeals that have been lodged, decided upon or withdrawn.

## Recommendations

That the report be noted.

## Background

The Area Chairmen have asked that a monthly report relating to the number of appeals received, decided upon or withdrawn be submitted to the Committee.

## Report Detail

### Appeals Received

21/00705/HOU

Proposal: Proposed extension to rear of property

Location: Castle Cottage Castle Street Keinton Mandeville Somerton TA11 6DX

Date Received: 4 August 2021

(Officer Delegated Decision)

18/01602/FUL – Re-determination appeal

Proposal: Demolition of existing buildings, conversion of and alterations to listed buildings to form 11 No. dwellings, the erection of 70 No. dwellings (total 81 No. dwellings) and associated works, including access and off-site highway works, parking, landscaping, open space, footpath links and drainage infrastructure

Location: Former BMI Site Cumnock Road Ansford Castle Cary Somerset BA7 7HR

Date Received: 26 August 2021

### Appeals Dismissed

18/03296/FUL

Proposal: Proposed development of 9 dwellings with access and landscape planting provision.

Location: Land Adjacent Englands Mead Queen Camel Yeovil Somerset

Decision Date: 7 July 2021

(Committee Decision)

20/00359/OUT

Proposal: Outline application with all matters reserved for residential development of up to 100 dwellings with associated access, internal roads and footpaths, car parking, public open space, landscaping, drainage and other associated works and infrastructure.

Location: Land To The East Of Penn View, Bayford Hill Wincanton Somerset

Decision Date: 9 September 2021

(Officer Delegated Decision)

21/00705/HOU

Proposal: Proposed extension to rear of property

Location: Castle Cottage, Castle Street, Keinton Mandeville, Somerton

Decision Date: 27 September 2021

(Officer Delegated Decision)

### **Appeals Allowed**

None.

### **Background Papers**

Decision notices attached

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# Appeal Decision

Site Visit made on 12 April 2021

**by Nick Davies BSc(Hons) BTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 07 July 2021**

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**Appeal Ref: APP/R3325/W/20/3265313**

**Land adjacent to England's Mead, Queen Camel, Yeovil BA22 7NW**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr John Ryall against the decision of South Somerset District Council.
  - The application Ref 18/03296/FUL, dated 5 October 2018, was refused by notice dated 13 May 2020.
  - The development proposed is 9 dwellings with access and landscape planting provision.
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## Decision

1. The appeal is dismissed.

## Applications for costs

2. An application for costs was made by Mr John Ryall against South Somerset District Council. This application is the subject of a separate Decision.

## Preliminary Matters

3. The description of the development on the planning application form related to the scheme that was originally submitted to the Council. The proposed number of houses was reduced through the application process, so the scheme that was refused did not match the original description. I have therefore used the description from the appeal form.
4. The Queen Camel Neighbourhood Plan 2019 to 2030 (the Neighbourhood Plan) was approved in a referendum held on 6 May 2021. Therefore, under the terms of Section 3 of the Neighbourhood Planning Act 2017, it became part of the development plan for the area on that date. The Council subsequently agreed to make the Neighbourhood Plan on 3 June 2021. The evidence indicates that the Council issued a decision statement detailing its intention to send the Neighbourhood Plan to referendum on 3 September 2020, but that it was delayed by legislation<sup>1</sup> relating to the Covid 19 pandemic. Under these circumstances, the Planning Practice Guidance advises that Neighbourhood Plans can be given significant weight in decision-making<sup>2</sup>. The parties have, therefore, had the opportunity to comment on the implications of the elevated status of the Neighbourhood Plan following the Council's decision, and on the impending referendum, in their submissions.

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<sup>1</sup> Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020

<sup>2</sup> Paragraph: 107 Reference ID: 41-107-20200925

## Background and Main Issues

5. At the time the Council determined the application, it was unable to demonstrate a five-year supply of deliverable housing sites. Consequently, because of the provisions of footnote 7, Paragraph 11 d) ii of the National Planning Policy Framework (the Framework) applied to its decision. However, the Council's statement identifies that it can now demonstrate a five-year supply, and this is not disputed by the appellant. Paragraph 11 d) ii of the Framework therefore no longer applies. In these circumstances, the Council contends that the proposal is contrary to development plan policies that govern the location and mix of housing.
6. The reason for refusal on the Council's decision notice had two strands relating, firstly, to the relationship between the development and the existing built form of the settlement, and, secondly, the accessibility of the site to local services. The Council accepts, in its appeal statement, that there is a continuous safe pedestrian access from the site to the services in the centre of the village. Consequently, it is no longer contesting the second element of the reason for refusal.
7. As a result, the main issues in this appeal are:
  - a) Whether the site is suitable for the proposed development, bearing in mind the settlement and housing policies of the development plan; and,
  - b) Whether the siting, scale, layout, and design of the development would be compatible with the existing built form of the settlement.

## Reasons

### *Development plan policies*

8. The Council's settlement strategy is set out in Policy SS1 of the South Somerset Local Plan (2006 – 2028) (the Local Plan), which was adopted in 2015. It is based on a hierarchy of settlements, identified because of their current and potential role and function. As a Strategically Significant Town, Yeovil is the prime focus for development. In Market Towns, provision will be made for housing, employment, shopping, and other services that increase their self-containment and enhance their roles as service centres. Lower in the hierarchy, Rural Centres provide for development that meets local housing need, extends local services, and supports economic activity of an appropriate scale. All other settlements are considered to be within open countryside and are identified as Rural Settlements, where national countryside protection policies apply. Queen Camel falls within this category, at the bottom of the hierarchy.
9. Policy SS2 of the Local Plan places strict control over development in Rural Settlements. Proposals for housing development are only permitted in the settlement if it has two or more of the key services that are listed at Paragraph 5.39 of the supporting text. It is not disputed that Queen Camel meets this requirement. However, residential proposals are still limited to those that meet identified housing need, particularly for affordable housing. The policy also requires development to be commensurate with the scale and character of the settlement, increase its sustainability, and have the support of the local community. Consequently, to accord with the overall settlement strategy, new

- housing must be in the village, and should be of an appropriate type, scale, and character.
10. Paragraph 5.44 explains that housing proposals in Rural Settlements should contribute to meeting local need by delivering affordable housing, low cost market housing, or a different form or type of housing which is in limited supply for locals. Furthermore, it will generally be expected that affordable housing is included. No affordable housing is proposed under the appeal scheme.
  11. The Neighbourhood Plan provides an up to date position on housing need in the village. Paragraph 3.2.7 says that the 2017 housing needs assessment identified a clear need for affordable housing, more affordable types of open market housing (such as semi-detached and smaller properties), and a variety of house types to meet the needs of young adults and an ageing population. Policy QC1 makes provision for at least 30 homes in the parish through allocated sites, infill or redevelopment, conversions, and rural exception sites. To provide a wider housing mix, open market housing should provide smaller 2 and 3-bedroom homes, with no more than 20% larger homes. Policy QC2 sets the criteria against which infill development in the village will be assessed, and requires the type and size of housing to be in accordance with Policy QC1.
  12. The appeal site is part of a large open field to the northwest of the village. It borders the housing in Englands Mead on two of its edges, but there is a very distinct demarcation here, between the built form of the settlement, and the countryside beyond. There are no physical barriers enclosing the application site from the rest of the field, so visually it appears as part of the wider countryside surrounding the settlement, rather than as part of the village. Therefore, rather than being housing development in the Rural Settlement, as permitted by Policy SS2 of the Local Plan, the development would be an extension of the village into the open countryside.
  13. Paragraph 3.2.13 of the Neighbourhood Plan defines infill development as *"the development of a relatively small gap between existing buildings within the village, with its main access onto an otherwise built up frontage or on other sites within the village where the site is contiguous with and closely associated with existing buildings"* (my emphasis). Whilst the site is contiguous on two edges with the housing in Englands Mead, it is not, for the reasons given, within the village. Consequently, the development does not fall within the definition of infill, so does not derive support from Policy QC2 of the Neighbourhood Plan.
  14. The development would provide 9 houses, which would contribute towards the quantity of need for the parish identified in the Neighbourhood Plan. I am also mindful that the 30 dwellings provided for by Policy QC1 is a minimum figure, so does not place a ceiling on further development that would otherwise be acceptable. However, the proposal for five 4-bedroomed dwellings, and four 3-bedroomed dwellings, all open-market, would not meet the identified qualitative local need for affordable housing and smaller properties. It is suggested that the fourth bedroom in the 4-bedroomed houses may be used as an office. However, even if this were the case, it would not alter the fact that there would be no smaller 2-bedroomed houses, as required by Policies QC1 and QC2 of the Neighbourhood Plan, and no affordable housing as would be expected by Policy SS2.

15. Policy HG3 of the Local Plan is not referred to in the Council's reason for refusal, but it requires the provision of 35% affordable housing on sites of 6 dwellings or more, or 0.2 Ha (irrespective of the number of dwellings). This Policy pre-dates the Framework and is not consistent with Paragraph 63, which says that provision of affordable housing should not be sought for residential proposals that are not major developments. However, Paragraph 64 says that where major development involving the provision of housing is proposed, at least 10% of the homes should be available for affordable home ownership. The glossary of the Framework defines major development as being where 10 or more homes will be provided, or the site has an area of 0.5 Ha or more. The site has an area of 1.17 Ha so, although the number of dwellings was reduced from 10 to 9 during the application process, the proposal is still major development. Consequently, the lack of any affordable housing within the development would conflict with Policy HG3 and the Framework.
16. It is contended that, as the houses range from 84.5 sq m to 115.2 sq m, they are not large, and would be achievable to those on lower incomes. I have not been provided with any information on local house values or average incomes, but Paragraph 5.26 of the Local Plan notes that rural areas experience higher property prices and corresponding issues with housing affordability related to a low-wage economy. Based on the limited evidence available to me, I would not be able to safely conclude that a new-build detached 4-bedroomed dwelling on the edge of this rural village would be affordable to local people on lower incomes.
17. To conclude on this issue, the appeal site is not within the settlement, and the development would not meet local housing need, due to the lack of affordable housing and smaller dwellings. The proposal would not, therefore, accord with the settlement and housing policies of the development plan. For the reasons given, it would be contrary to Policies SS1, SS2 and HG3 of the Local Plan, and Policies QC1 and QC2 of the Neighbourhood Plan.

*Compatibility with existing built form of settlement*

18. The development would wrap around the western and northern sides of Englands Mead, so would have a close visual relationship with the built form of this part of the settlement. The dwellings in Englands Mead comprise semi-detached houses running parallel to the road and set back behind enclosed front gardens. They also have long back gardens, giving a spacious feel to the development, and are two-storey in scale, with steeply pitched roofs to the north of the road and mansard roofs to the south. Those on the northern side are traditionally designed with reconstituted stone, brick detailing, plain tiled roofs, and brick chimney stacks.
19. The proposed development would draw on many of these characteristics. The houses would be of similar two-storey scale, would be arranged parallel to the new roads and would be set back from the frontage in straight lines. Plots 1 and 2 would be on a continuation of the building line of 7 – 12 Englands Mead. Although Plots 3 and 4 would be set back from the frontage of 1 – 6 Englands Mead, they would front the new road to the rear, so would not appear discordant. The houses would be of a comparable, traditional design, with similarly proportioned windows and would also have chimney stacks. They would be on generous sized plots, resulting in a similarly spacious character.



20. For these reasons, I conclude that the siting, scale, layout, and design of the development would be compatible with the existing built form of the settlement. The proposal would, therefore, comply with Policy EQ2 of the Local Plan, which seeks to ensure that development is designed to achieve high quality and local distinctiveness, thereby preserving, or enhancing the character and appearance of the district.

### **Other Matters**

21. The application site falls within the catchment area flowing into the Somerset Levels and Moors Special Protection Area and Ramsar site. After the Council made its decision, Natural England raised concerns regarding nutrients entering watercourses in this catchment. The proposed housing would result in an increase in phosphates contained within foul water discharge. As the Ramsar site is in unfavourable condition, any increase, either alone or in combination with other developments, would have a likely significant effect on the protected site.
22. The appellant's own work indicates that an area of 0.373 Ha of constructed wetland would be required to mitigate the impact of phosphates from the development on the protected site. The evidence indicates that no scheme is yet in place for wetland construction into which the development can contribute. In these circumstances the appellant has proposed that a Grampian condition should be attached to any permission, prohibiting occupation of the development until the provision of an avoidance and mitigation package has been secured.
23. The Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations) require that, where there is a likelihood of significant effects, or there is uncertainty, a competent authority should fully assess the implications of the proposal through an appropriate assessment (AA). Natural England would then have to be consulted on the findings of the AA. However, as I am dismissing the appeal, it is not necessary for me to consider the proposal any further in respect of the Habitats Regulations.

### **Planning Balance**

24. Paragraph 59 of the Framework seeks to significantly boost the supply of homes. The development would provide nine houses, which would assist with this aim, and would be a benefit of the proposal. However, as I have found that the site does not lie within the settlement, this benefit does not attract the great weight applied by Paragraph 68 of the Framework. Furthermore, the weight I attach to this benefit is significantly reduced because the size and type of dwellings, and their lack of affordability, would not meet the identified local housing need.
25. There would be economic benefits associated with the construction phase of the development, and also through the future spend by occupants that would support local services and businesses. These benefits attract moderate weight in my decision.
26. The proposal includes the provision of a parking area dedicated for use by the occupants of the existing houses in Englands Mead. However, I saw that some of the houses in Englands Mead have off-street parking, and there is also unrestricted on-street parking. As a result, there is little evidence of a

significant parking issue in the cul de sac. Consequently, the additional parking would be of little benefit and therefore does not attract significant weight in my decision.

27. The Framework makes it clear at Paragraph 12, that the presumption in favour of sustainable development does not change the statutory status of the development plan, and that where a planning application conflicts with an up-to-date development plan, permission should not usually be granted. I have found that the proposal would conflict with the settlement and housing policies of the development plan. There are no other considerations, including the Framework, that outweigh this conflict.

### **Conclusion**

28. For the reasons given above, I conclude that the appeal should be dismissed.

*Nick Davies*

INSPECTOR

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# Appeal Decision

Hearing Held on 8 June 2021

Site visit made on 15 June 2021

**by Martin Allen BSc (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 9 September 2021**

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**Appeal Ref: APP/R3325/W/20/3259421**

**Land to the east of Penn View, Bayford Hill, Wincanton**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
  - The appeal is made by Greystoke Land Limited against the decision of South Somerset District Council.
  - The application Ref 20/00359/OUT, dated 31 January 2020, was refused by notice dated 2 July 2020.
  - The development proposed is a residential development of up to 100 dwellings with associated access, internal roads and footpaths, car parking, public open space, landscaping, drainage and other associated works and infrastructure.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. Since the appeal was submitted the Government has published a new National Planning Policy Framework (the Framework). Comments were sought from the Council and the Appellant. As the main parties have had the opportunity to provide comments no injustice has been caused. I have considered the appeal on the basis of the revised Framework.
3. The application was submitted in outline with all matters reserved for future consideration. The submitted details include an Indicative Masterplan, which indicates a possible layout for the proposed development, together with the likely location of the new vehicular access to the site. I have considered these details on their indicative basis.
4. It was agreed at the hearing that the completed S106 legal agreement and CIL compliance statement would be submitted after the event.

## Main Issue

5. The main issue is the effect on the character and appearance of the area, including the effect on protected trees.

## Policy context

6. The appeal site is located outside of the settlement boundary for Wincanton. Policy SS5 of the South Somerset Local Plan (2015) (the Local Plan) sets out that a permissive approach will be taken when considering housing proposals

adjacent to the development area at Wincanton. On this basis, the Council accept that there is no in-principle objection to housing at this location. Based on the information I have seen I have no reason to disagree and have approached my consideration of the appeal scheme on this basis.

## **Reasons**

7. The appeal site comprises a number of field parcels to the eastern fringe of the settlement of Wincanton. It abuts the built-up area of the settlement to the west, lying adjacent to dwellings located along Penn View, while countryside extends to the north and east. To the southern boundary of the site is Bayford Hill, a road linking Wincanton with Bayford, which is bordered by a strong and important stretch of trees which is subject to a Tree Preservation Order (TPO). The field parcels comprising the site area are separated to varying degrees by the presence of hedging, with the hedging enclosing the westernmost parcel a particularly strong landscape feature in the local area. There was a more appreciable openness to the remainder of the site towards the west.
8. The topography of the site comprises an elevated portion to the west, with levels falling away to the east toward Bayford. As a result, the site is highly visible from the surrounding area, most notably from Bayford, and the undeveloped nature of the field parcels contributes significantly to the separation between Wincanton and Bayford. This degree of separation is a local landscape feature that has considerable importance. Details provided in respect of the Wincanton Peripheral Landscape Study show that while the westernmost field is categorised as being an area of low landscape sensitivity, the remainder of the site is shown to be of moderate sensitivity. Moreover, it identifies the whole appeal site as being of high visual sensitivity, as well as indicating that the majority of the site has a low capacity to accommodate built development, with only the field closest to the existing built-up area of Wincanton having a moderate capacity in this respect. In addition, the Wincanton Neighbourhood Plan identifies that part of the westernmost field within the appeal site lies within a visually sensitive area to the north of the settlement.
9. The Indicative Masterplan shows a layout of development with dwellings occupying the westernmost field adjacent to Penn View, extending into the adjoining parcel, and spreading eastwards and down the slope of the land towards Bayford. While this potential layout would restrict development to that part of the appeal site closest to Wincanton, it would extend a significant part of the way toward Bayford and as a consequence would erode the extent of the gap that currently exists between Wincanton and Bayford. I observed that from vantage points in Bayford to the east, within views of the appeal site there was a distinct lack of built form visible, other than a single property, with the existing boundary features generally screening views of properties within Penn View. The proposed scheme would introduce a considerable amount of built form into these views, at an elevated position and thus the development would be clearly visible and, in my view, would be an intrusive feature. I am conscious that as shown the development would not take up the entirety of the downward section of the slope towards Bayford, nonetheless the extent to which it would inevitably creep down the hill would result in a substantial and harmful loss of the open aspect of the appeal site.
10. This effect would also be appreciable from vantage points in the wider surrounding area, including from the viewpoint from which it was suggested

that I view the development. From the Public Right of Way (PROW) in the area of Church Farm to the east of the site, the open and rural appearance of the appeal site was evident, with adjacent development within Wincanton visible only along the skyline, and even then, its visual appearance was softened considerably by existing vegetation. This contributed to the countryside setting of Wincanton, that would be diminished by the proposed development extending down the slope towards Bayford. Moreover, from the PROW's in closer proximity to the appeal site that I was also directed to and walked along at the time of my site visit, there were also glimpsed and direct views of the existing fields, from which the proposed development would be seen and appreciated as an intrusive feature.

11. To the south of the site is Bayford Hill and along the boundary to this road is a substantial bank of trees, the entire length of which is covered by a TPO. One of the most notable and positive features of this tree bank was its continuity of presence along the road, which was reinforced by its current integrity and fullness. The trees are highly visible to users of the road and I find that they are collectively a feature of significant importance in the local area.
12. While access is a matter reserved for future consideration, the indicative details show the creation of a new access point along Bayford Hill. This would necessitate the removal of part of the bank of trees that I have described above. The submitted details indicate that 16 trees will need to be removed in order to construct an access, resulting in the creation of an approximately 35-metre-wide opening in the existing tree bank. In addition to this, there is a difference in ground levels between the road of Bayford Hill and that within the appeal site. This would necessitate the creation of some engineering features in order to create a safe and useable vehicular access to the development.
13. The details before me therefore show that a large intervention into the linear grouping of trees would be required as part of the development. The break in the continuous frontage of trees would be obvious and, I consider, significant. The uninterrupted sylvan appearance along the road would be lost and a feature of significant local importance would be harmfully diminished.
14. I acknowledge that the scheme would include elements of new landscaping that are intended to aid in the assimilation of the new development into the landscape. However, in respect of the built form of new housing, given the extent of visibility that I have referred to together with the topography of the appeal site and the surrounding land, I am not convinced that it would be possible to include landscaping that would ameliorate the harmful effects I identify. Furthermore, the inclusion of replacement tree planting would not overcome the harm resulting from the creation of a new access along Bayford Hill. While I am conscious that the appellant contends that the indicative details provided are a "worst-case" scenario, this does not allay my concerns.
15. Therefore, I find that there is nothing before me that convinces me that the appeal site can satisfactorily accommodate the proposed development. The development would result in substantial harm to the character and appearance of the area, including significant harm through the loss of protected trees. Accordingly, the proposals conflict with policies EQ2 and EQ5 of the Local Plan, insofar as they seek to ensure that development promotes local distinctiveness and preserves or enhances the character and appearance of the district, as well as that development maintains local identity.

## **Other Matters**

### *Housing Land Supply*

16. At the time of the determination of the planning application, the Council was unable to demonstrate a 5-year supply of deliverable housing sites. Following this, the Council considered that it was able to demonstrate a supply in excess of 5-years, referring to a 6.03-year supply within the appeal statement. There was discussion on this point at the hearing.
17. The principal matter of disagreement between the parties in respect of housing land supply centred on the effect of the Dutch N judgement and the unfavourable conditions of the Somerset Levels and Moor Ramsar Site (the Ramsar Site) due to the effects of eutrophication caused by excessive phosphates. The Council contended that housing sites were still coming forward and being delivered. It was the appellants position that while the appeal site is not directly affected by this issue, the consequences of the phosphates matter meant that there would be an effect on housing delivery, such that the Council would not be able to demonstrate a five-year supply of deliverable housing sites.
18. While the respective positions of the parties at the hearing are noted, since the close of the hearing I have been provided with a recent appeal decision<sup>1</sup> by the appellant. The Inspector in that case found that due to the effect of the phosphates issue, the Council is not able to demonstrate a five-year supply. The Council's views on this were sought and it confirmed that as a result of the Inspector's findings in that case, that the Council now accepts that there is no five-year supply of deliverable housing sites. Thus, the presumption in favour of sustainable development, as envisaged by paragraph 11 of the Framework is engaged.

## **Planning Balance**

19. I have found above that the proposal would be harmful to the character and appearance of the area, this includes the degrading of the rural setting of Wincanton and the loss of a number of protected trees that contribute greatly to the attractiveness of the area and form part of a bank of trees that have considerable local importance. I attribute very significant weight to this harm.
20. There would be a range of economic benefits resulting from the proposal. These include the provision of jobs during the construction of the development, wider economic benefits through household expenditure and a notable contribution towards the provision of affordable housing. These attract considerable weight. The appellant also refers to environmental benefits through the provision of public open space and I consider that moderate weight should be accorded to this. There is also reference to additional planting, including compensatory tree planting and biodiversity enhancement. Given that much of this would be mitigation for the effect of the development itself, I only accord these matters limited weight.
21. Overall, I consider that the package of benefits that would result from the development should be given substantial weight in the planning balance, particularly as the appeal scheme would deliver up to 100 houses. However, as I have identified above, I accord very significant weight to the harm that would

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<sup>1</sup> APP/R3325/W/20/3265558

result. Accordingly, in my judgement the negative factors resulting from the proposals are sufficient to significantly and demonstrably outweigh the positive ones. Thus, the planning balance does not indicate that a decision should be taken other than in accordance with the development plan.

### **Other matters**

22. I acknowledge that the current proposal follows the refusal, and dismissal at appeal, of a previous scheme on the site. I am particularly conscious that the number of dwellings and extent of development has been reduced, as well as the location of the proposed access point being amended in order to reduce the loss of trees. In addition, the effect on heritage assets is no longer a matter of concern. Nonetheless, having considered the scheme on its merits I am satisfied that the planning balance falls against the proposal. As such, while there are differences between the previous scheme and that which is before me, I am not satisfied that the amendments contained within the current proposal reduce the harm previously identified to the extent which warrants allowing the development.

### **Conclusion**

23. For the reasons given above, and having regard to all matters raised, I conclude that the appeal should be dismissed.

*Martin Allen*

INSPECTOR



## **APPEARANCES**

### FOR THE APPELLANT:

Killian Garvey	Barrister, Kings Chambers
David Hutchinson, BSc (Hons) Dip TP MRTPI	Agent, Pegasus Group
Justin Hobbs, BSc (Hons), Arb Associations Technicians Certificate in Arboriculture, Lantra Professional Tree Inspection	MHP
Paul Harries, CMLI	MHP
Neil Tiley, BSc (Hons) ARTPI	Pegasus Group
Simon Tucker, BSc (Hons) MCIHT	Highway Engineer, David Tucker Associates

### FOR THE COUNCIL:

Debbie Reading, BSc Dip TP MRTPI	Specialist – Planning, South Somerset District Council
Liz Alexander, BA (Hons) MPhil MRTPI	Senior Associate, Bell Cornwell
Charles Potterton, BA Dip LA CMLI	South Somerset District Council
Philip Poulton, M Arbor.A	Tree Officer, South Somerset District Council

### INTERESTED PARTIES:

Laura Rose-Walker	Parish Councillor
Colin Winder	District Councillor
Stephen Hill	Town Clerk, Wincanton Town Council
Fletcher Robinson	Planner, Campaign for the Protection of Rural England - Somerset

## **DOCUMENTS**

### *Provided during the hearing*

1. Infographic relating to tree roots and retaining wall construction
2. Copy of policy SS2

### *Provided following the hearing*

1. CIL compliance statement
2. S106 agreement



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# Appeal Decision

Site Visit made on 14 September 2021

**by Martin Allen BSc (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 27 September 2021**

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**Appeal Ref: APP/R3325/D/21/3275447**

**Castle Cottage, Castle Street, Keinton Mandeville, Somerton TA11 6DX**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Miss R Dale against the decision of South Somerset District Council.
  - The application Ref 21/00705/HOU, dated 1 March 2021, was refused by notice dated 23 April 2021.
  - The development proposed is an extension to rear of property.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. The National Planning Policy Framework (the Framework) was revised in July 2021. However, as the Framework's policies that are most relevant to this appeal have not materially changed, no parties will have been prejudiced by my having regard to the latest version in reaching my decision.

## Main Issues

3. The main issues are the effect of the proposal on (i) the character and appearance of the host property and the surrounding area, and (ii) the living conditions of neighbouring occupiers, with particular regard to any overbearing effect and overlooking.

## Reasons

### *Character and appearance*

4. The appeal property comprises a two-storey, end of terrace dwelling with a rear extension under an almost flat roof. The depth of the existing extension appears narrower than that of the span of the main house, resulting in a sense of subservience and a modest appearance. There is a variety to the scale and form of buildings along the road at this location, however there is also a consistency in the use of external facing materials, and I observed a hierarchy to the layout of buildings with the principal building massing located along the road, with smaller, less-assertive elements behind creating a sense of enclosure to the street.
5. The appeal scheme seeks to replace the existing rear extension with an addition of greater scale, and which would be set under a pitched roof. To the external elevations the use of natural local stone is proposed, echoing the use of materials in the wider area. However, the ridge height of the new pitched roof would be higher than that of the main house and the depth of the extension would be greater than the existing gable span of the host property. As a result, the proposed

extension would be a domineering and overly assertive addition, that would be out of scale with, and oppressive to, the existing property.

6. Moreover, the addition would appear as a discordant element at this location and would disrupt the attractive hierarchy of built development that sits along the street. While I note that the appellant contends that the existing pitched roof and the proposed will be viewed distinctly, I find that the presence of the intervening valley would not be such that it would prevent the harm which I have identified.
7. Accordingly, I find that the proposal would be harmful to the character and appearance of the host property and the surrounding area. Thus, it would conflict with policy EQ2 of the South Somerset Local Plan, insofar as it seeks to ensure that development is well designed and conserves the character and appearance of the district. The proposal would also conflict with the design aims of the Framework.

#### *Living conditions*

8. The extension would result in an increased amount of built development to the rear of the property that would extend further down the rear garden than the existing. However, given the extent to which the neighbouring property within the terrace also extends rearwards, together with the length of the gardens associated with the dwellings in the terrace, there would be no unacceptable overbearing effect. Moreover, given the separation distance between the proposal and the detached property that neighbours the appeal site, together with that the extension would be positioned alongside its driveway, there would also be no unacceptable overbearing effect experienced by the occupiers of this property.
9. The scheme would introduce a window at first floor level looking eastwards. However, this would overlook the front garden area of the neighbouring property, of which there are already clear views available from the street. Furthermore, any views towards the neighbouring property would be at an oblique angle and would not be significant, particularly given that the proposed window would serve a secondary bedroom space.
10. Therefore, the proposal would not result in an unacceptable effect on the living conditions of neighbouring occupiers, with particular regard to an overbearing effect and overlooking. Accordingly, there would be no conflict with policy EQ2 of the Local Plan, insofar as it seeks to ensure that the residential amenity of neighbouring properties is protected. There would also be no conflict with the living condition protection aims of the Framework.

#### **Other Matters**

11. I acknowledge that the proposal would result in an improvement to the living space within the dwelling with benefits to the occupiers. This matter is not sufficient however to outweigh the harm I identify.

#### **Conclusion**

12. While there would be no adverse effect on the living conditions of neighbouring occupiers, there would be harm to the character and appearance of the host property and the area; this harm is decisive. For the reasons given above I conclude that the appeal should be dismissed.

*Martin Allen*

INSPECTOR