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

**Wednesday 18th May 2022**

**5.30 pm**

**A virtual consultative meeting via  
Zoom meeting software**

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

Jason Baker  
Mike Best  
Ray Buckler  
Dave Bulmer  
Martin Carnell  
Brian Hamilton

Ben Hodgson  
Val Keitch  
Jenny Kenton  
Paul Maxwell  
Tricia O'Brien  
Sue Osborne

Robin Pailthorpe  
Oliver Patrick  
Garry Shortland  
Martin Wale

There are no planning applications to consider this month.

Any members of the public wishing to address the virtual consultative meeting during Public Question Time need to email [democracy@southsomerset.gov.uk](mailto:democracy@southsomerset.gov.uk) by 9.00am on Tuesday 17<sup>th</sup> May 2022.

The meeting will be streamed and 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 Tuesday 10 May 2022.

**Jane Portman**, *Chief Executive Officer*

**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 West 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>

Further to the above, at the meeting of Full Council on 16 December 2021, it was agreed to extend the arrangements for a further 6 months to 8 July 2022 for all meetings apart from Full Council - Full Council will be in person. For full details and to view the report please see -

<https://modgov.southsomerset.gov.uk/ieListDocuments.aspx?CId=137&MId=2991&Ver=4>

## Area West Committee

Meetings of the Area West Committee are usually held monthly, at 5.30pm, on the third 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 Public Question Time please email [democracy@southsomerset.gov.uk](mailto:democracy@southsomerset.gov.uk) by 9.00am on Tuesday 17<sup>th</sup> May 2022. 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.

### **Planning applications**

There are no planning applications to consider this month.

## **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 West Committee

**Wednesday 18 May 2022**

## Agenda

### *Preliminary Items*

#### **1. Minutes**

To approve as a correct record the minutes of the previous meeting held on 16<sup>th</sup> February 2022. The draft minutes can be viewed at:

<https://modgov.southsomerset.gov.uk/ieListMeetings.aspx?CId=426&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 Jason Baker and Sue Osborne.

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**

Councillors are requested to note that the next meeting of the Area West Committee is scheduled to be held at 5.30pm on Wednesday 15<sup>th</sup> June 2022 and will be a virtual meeting using Zoom.

**5. Public Question Time**

**6. Chairman's Announcements**

*Items for Discussion*

**7. Community Grant to Ark at Egwood Indoor Activity Space (Executive Decision)**  
(Pages 6 - 11)

**8. Blackdown Hills Area of Outstanding Natural Beauty (AONB) (Executive Decision)**  
(Pages 12 - 18)

**9. Stop Line Way Progress Report (Executive Decision)** (Pages 19 - 25)

**10. Area West Forward Plan** (Pages 26 - 27)

**11. Planning Appeals (for information)** (Pages 28 - 33)

**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.**



## Community Grant to Ark at Egwood Indoor Activity Space (Executive Decision)

Strategic Director: Kirsty Larkins, Director of Service Deliver  
Service Manager: Tim Cook, Locality Manager  
Lead Officer: Nathan Turnbull Locality Officer  
Contact Details: Nathan.Turnbull@southsomerset.gov.uk or 01935 462369

### Purpose of the Report

Councillors are asked to consider the awarding of a grant of £12,500 towards Ark at Egwood Indoor Activity Space

### Public Interest

Awarding grants is a key way that SSSDC supports and helps to deliver community projects sponsored by Parishes and voluntary community organisations in the towns and villages across the district.

The Ark Project has applied to the Area West community grants programme for financial assistance with the costs of installing a new indoor activity space. The Locality Officer is submitting this report to enable the Area West Committee to make an informed decision about the application and has assessed the application.

### Recommendations

It is recommended that Councillors award a grant £12,500, the grant to be allocated from the Area West capital programme and subject to SSSDC standard conditions for community grants (Appendix A)

### Application Details

Name of applicant:	Ark at Egwood
Project:	Indoor Activity Space
Total project cost:	£47900
Amount requested from SSSDC:	£12,500
% amount requested	21.6 %
Application assessed by:	Nathan Turnbull

### Community Grants Assessment Score

The table below shows the grant scoring for this application. Applications must meet the minimum score of 22 to be considered for SSDC funding under Community Grants policies.

Category	Max Score available	Officer assessment score
A Supports Council Plan/Area Chapter	1	1
B Supports Equalities & Diversity	1	1
C Supports Environment Strategy	3	2
D Need for Project	10	8
E Capacity of Organisation	15	14
F Financial need	7	4
Total	37	30

### Background

- Acts of Random Kindness (ARK), is a land-based day facility at Egwood, near the village of Merriott. On 12 acres of land, it comprises animals, horticulture and communal buildings, and offers a range of activities, experiences and support services to improve health, wellbeing and opportunities for all.
- There is no other day support service provider like ARK in South Somerset that caters for all ages and varying needs. Since inception, ARK has continued to steadily grow, despite Covid and currently offers support on a daily and weekly basis for people with learning disability, autism, and recovering from brain injury, mental ill health, Social Isolation and young people in support of confidence building and social engagement.
- ARK at Egwood aims to: Provide meaningful, transferable life experiences and practical skills for adults and young people.
- Provide personal, targeted, cost-effective therapies, in a non-threatening and engaging environment.
- Social integration and lessen social isolation in our local communities.
- Provide day placements for young people alongside education.
- Provide volunteering opportunities for local people; Partner with Adult and Children's Social Care.

There is currently 45 Volunteers and 5 Paid staff.

#### Parish information

Parish*	Merriott
Parish Population	1979
No. of dwellings	882



## The project

At present ARK has limited indoor dry, warm space, which can have an impact on the day to day running during the winter months and inclement weather. The demand for support services at ARK is increasing and ARK wishes to be able to maintain a high level of service all year round. Consequently, ARK wishes to purchase two converted 40ft shipping containers, to be placed side by side, joined and used as a classroom/activity space for the various groups attending ARK.

The staff, attendees and volunteers at ARK will all benefit from having a classroom/activity space. ARK supports people with all abilities, has a wheelchair accessible pathway through the site and will ensure that this project is also accessible to all. ARK is also becoming a community-based asset and at present supports a weekly Baby Rhyme Time class, Tai Chi sessions and hosts partner organisations in having meetings and team days at ARK. They would ensure that the containers would be able to be booked/used by the local community, partner organisations and schools.

All of the above will benefit by being able to attend ARK all year round and engage with meaningful and purposeful activities, regardless of the time of year or weather.

The project will involve buying and installing 2 x 40 ft converted containers, all groundwork, the Electrical Hook up and heating.

## Local support / evidence of need

ARK has recently been voted in the Natwest Top 100 Social Enterprises as well as the top 25 Trailblazing Newcomers for 2021.

An Open Day was held on 28th August 21, where over a thousand people attended during the course of the day.

Despite Covid, ARK has worked hard to ensure that the support provided continues to grow, which has been evident in the number of attendees and volunteer growth. In addition, ARK was successful in receiving grant funding from the Armed Forces Covenant Trust Fund for a 12 month project to socially connect with our local Armed Forces Community

## Project costs

Project costs	Cost £
2 x 40 ft converted containers (including Electric, Lights and Heating)	41400
Groundworks and siting of containers	6500
<b>Total</b>	<b>£47900</b>



## Funding plan

Funding source	Secured or pending	Amount £
Parish/Town Council	Secured	100
Own Funds	Secured	8550
The Clarks Foundation	Secured	4000
National Lottery Awards for All	Secured	9750
Local Family Donation	Secured	3000
Barchester's Charitable Foundation	Secured	10000
SSDC Community Grant	Pending	12500
<b>Total</b>		<b>£47900</b>

## Conclusion and Recommendation

It is recommended that a grant of £12,500 is awarded.

## Financial Implications

The balance in the Area West Capital programme is £68,214. If the recommended grant of £12,500 is awarded, £55,714 will remain.

Grants are awarded subject to all other funding being secured before the commencement of the project and are on a % basis of the full project costs. Payment of the grant cannot exceed the grant award and is proportionally reduced if full project costs are under budget.

## Council Plan Implications

Council Plan themes and Areas of focus for 2021/22

### Healthy, Self-reliant Communities

- Work with partners to reduce the impact of social isolation and create a feeling of community
- Work with partners to support people in improving their own physical and mental health and wellbeing
- Enable quality cultural, leisure and sport activities
- Support residents facing hardship
- Support older people to live and age well by increasing independence, reducing loneliness, and improving financial security



- Support community led initiatives that contribute towards combatting climate change

### Carbon Emissions and Climate Change Implications

None identified

### Equality and Diversity Implications

<i>An Equality Impact Relevance Check Form has been completed in respect of the Proposal?</i>	Yes
<i>The Impact Relevance Check indicated that a full EIA was required?</i>	No
<i>If an EIA was <b>not</b> required please attach the Impact Relevance Check Form as an Appendix to this report and provide a brief summary of its findings in the comments box below.</i>	
<i>If an EIA <b>was</b> required please attach the completed EIA form as an Appendix to this report and provide a brief summary of the result of your Equality Impact Assessment in the comment box below.</i>	
<b>Additional Comments</b>	
<p>ARK is an inter-generational, therapeutic, land-based day service provision, providing support to people of all ages and varying needs to improve confidence and mental and physical health and wellbeing. The grant will enable ARK to improve its indoor facilities thereby maintaining a high level of service all year round and enabling increased participation from people from certain Protected Characteristics. Given the purpose of the funding It is anticipated that there will be no negative impacts for people sharing Protected Characteristics.</p>	

### Background Papers

- Appendix:      A: SSDC standard conditions for community grants  
                       B: Equality Impact Assessment

## Appendix A

### Standard conditions applying to all SSDC Community Grants

#### The applicant agrees to: -

- Notify SSDC if there is a material change to the information provided in the application.
- Start the project within six months of the grant offer and notify SSDC of any changes to the project or start date as soon as possible.
- Confirm that all other funding sources have been secured before starting the project, if these were not already in place at the time of the application.  
Acknowledge SSDC assistance towards the project in any relevant publicity about the project (e.g. leaflets, posters, websites, and promotional materials) and on any permanent acknowledgement (e.g. plaques, signs etc.).
- Work in conjunction with SSDC officers to monitor and share the success of the project and the benefits to the community resulting from SSDC's contribution to the project.
- Provide a project update and/or supply before and after photos if requested
- Supply receipted invoices or receipts which provide evidence of the **full** cost of the project so that the grant can be released.
- Complete an evaluation survey when requested after the completion of the project.
- Note that they cannot apply for another community grant for the same project within a 3 year period of this award.
- Grant being awarded subject to Planning Permission being granted.

#### Standard conditions applying to buildings, facilities and equipment

- Establish and maintain a “sinking fund” to support future replacement of the building / Facility / equipment as grant funding is only awarded on a one-off basis.
- Use the SSDC Building Control Service when buildings regulations are required.
- Incorporate disabled access and provide an access statement where relevant.

# Equality Impact Relevance Check Form



The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. This tool will identify the equalities relevance of a proposal, and establish whether a full Equality Impact Assessment will be required.

What is the proposal?	
Name of the proposal	Ark at Egwood indoor Activity Space
Type of proposal (new or changed Strategy, policy, project, service or budget):	Project
Brief description of the proposal:	ARK wishes to purchase two converted 40ft shipping containers
Name of lead officer:	Nathan Turnbull

You should consider whether the proposal has the potential to negatively impact on citizens or staff in the following ways:

- Access to or participation in a service,
- Levels of representation in our workforce, or
- Reducing quality of life (i.e. health, education, standard of living)

A negative impact is any change that could be considered detrimental. If a negative impact is imposed on any citizens or staff with protected characteristics, the Council has a legal duty to undertake a full Equality Impact Assessment.

Could your proposal negatively impact citizens with protected characteristics? (This includes service users and the wider community)	<b>NO</b>
Could your proposal negatively impact staff with protected characteristics? (i.e. reduction in posts, changes to working hours or locations, changes in pay)	<b>NO</b>

<b>Is a full Equality Impact Assessment required?</b>	<b>NO</b>
<b>If Yes</b> , Please provide a brief description of where there may be negative impacts, and for whom. Then complete a full Equality Impact assessment Form	
<b>If No</b> , Please set out your justification for why not.	
ARK is an inter-generational, therapeutic, land-based day service provision, providing support to people of all ages and varying needs to improve confidence and mental and physical health and wellbeing. The grant will enable ARK to improve its indoor facilities thereby maintaining a high level of service all year round and enabling increased participation from people from certain Protected Characteristics. Given the purpose of the funding It is anticipated that there will be no negative impacts for people sharing Protected Characteristics.	
Service Director / Manager sign-off and date	Tim Cook - 18.02.22
Equalities Officer sign-off and date	Dave Crisfield 18 <sup>th</sup> February 2022



## Blackdown Hills Area of Outstanding Natural Beauty (AONB) – Update (Executive Decision)

Strategic Director: *Kirsty Larkins, Director of Service Delivery*  
Service Manager: *Tim Cook, Locality Manager*  
Lead Officer: *Adrian Moore, Locality Officer*  
Contact Details: *[adrian.moore@southsomerset.gov.uk](mailto:adrian.moore@southsomerset.gov.uk) or 01935 462409*

### Purpose of the Report

- To update members on the work of the Blackdown Hills AONB Partnership
- Seek agreement to continue SSDC contribution to the core funding of the AONB Partnership of £6,000 in 2022/23

### Public Interest

This report provides an annual update on the activities and projects carried out by the Blackdown Hills AONB Partnership.

### Recommendations

1. Comment upon and note the report
2. Agree to continue SSDC contribution to the core funding of the AONB Partnership of £6,000 in 2022/23

### Background

The Blackdown Hills is an unspoilt landscape on the Somerset and Devon border, rich in wildlife, beauty and heritage. The Blackdown Hills were designated an Area of Outstanding Natural Beauty (AONB) in 1991 after the Countryside Commission's landscape assessment judged the Blackdown Hills landscape 'to be outstanding due to the subtle combination of four characteristics':

- ❖ An isolated, unspoilt rural area
- ❖ Diversity of landscape patterns and pictures
- ❖ A unique geology
- ❖ A landscape with architectural appeal

An AONB also encourages the social and economic wellbeing of its local communities; promotes sustainable development and has regard to the needs of recreation.

There are six South Somerset parishes wholly or partly within the AONB. They are; Buckland St Mary, Broadway, Combe St Nicholas, Tatworth & Forton, Wambrook and Whitestaunton. However, as the towns of Ilminster, Chard and many other villages are

so close to the Blackdown Hills, plenty of residents in South Somerset enjoy spending time in the AONB and benefit from the work of the partnership.

Through the Area West budget, SSDC has agreed to contribute £6,000 per annum in the period 2021/22. This figure represents good value for money when taking into account the quality of the projects and activities delivered through the partnership and the wide range of benefits residents in and around the AONB gain from enjoying the Blackdown Hills.

## Report Detail

### **AONB activities, project work and associated programmes**

The AONB has a small staff team who carry out a range of work across the area:

#### **AONB Work in 2021/22**

##### **Farming in Protected Landscapes (FiPL)**

A quick assessment of the figures for what FiPL funded within South Somerset District last year:

- 542 metres of watercourse fencing to prevent stock access and improve water quality
- 223 metres of hedgelaying
- 50 trees planted
- 1.1 hectares of springline mire restored
- Apple pressing kit and other farm educational kit for farm visits
- 1 pond created
- Farm Transformation Plans

Other work includes:

- Much of the rest of the Triple Axe (Farming, Nature & People) work is within South Somerset
- There are 16 farm facilitation members within South Somerset
- One of the Environmental Land Management (E.L.M) test and trial focus zones (with associated farmer ambassador work) was within South Somerset

##### **Nature Recovery Area Delivery Plan**

This plan was produced with stakeholders, via three workshops and some underpinning work with the other Somerset AONBs, including the production of a State of Nature report, visualisations (what does a nature rich and resilient Blackdown Hills landscapes look like going into the future?), strategic alignment and monitoring.

##### **Climate Action Plan**

This plan is co-created with the Blackdown Hills Parish Network and Local Authorities. The aim is to create a plan that links parish level ambitions to national/ county and district plans, with the AONB Management Plan in the middle. Essentially it itemises where the delivery of the AONB Management Plan is already helping to deliver county/

district targets, as well as what needs to be in the revised AONB Management Plan in order that the climate/ carbon targets in county/ district plans can be met.

### **Somerset Nature Connections**

Weekly Sessions:

Since summer 2021, the Project Officer for the Blackdown Hills has been delivering weekly Nature and Wellbeing self-care sessions on the Blackdown Hills. Sessions originally took place at Park Farm, Near Wellington but most recently have been based at Newhaven Coppice (Whitestaunton). Referrals come from Mental Health support services, other front line support workers and health professionals and self-referrals.

Between June 2021 and March 2022 the AONB have run weekly sessions (6-week blocks with 1/2 week gaps in between blocks). There have been 6-8 people in the group at any one time. This has enabled support for people to deeper their connection with nature for wellbeing. The AONB team adapt sessions to meet the support needs of those attending each block. Sessions are based on the 5 pathways to nature connectedness:

- ❖ Contact
- ❖ Emotion
- ❖ Compassion
- ❖ Beauty
- ❖ Meaning

Through different activities and engagement opportunities participants are supported to explore their connection with nature. Activities include;

- Creating artwork using natural pigments or artwork inspired by nature and wildlife
- Making bird feeders/boxes/bug hotels – things that show nature we care and offer opportunities for nature to thrive
- Opportunities to connect with landscape through poetry/the written word
- Other creative nature based crafts, such as willow weaving, using clay to make pots/cups etc.
- Practical conservation tasks such as coppicing, clearance etc.
- Wildlife monitoring

Sessions began with a check-in, grounding practice (mindfulness/supporting people to be present) and end with an opportunity to reflect on achievements.

The AONB Project Officer has delivered 34 sessions and worked with 18 referred participants and has supported 5 peer supporters/volunteers. This has included supporting them to take up training opportunities such as First Aid, Mental Health First Aid and Peer Support Training. These weekly sessions will continue to take place until

Summer/Autumn 2023 and will continue to be promoted to Mental Health Partners across South Somerset.

### **Work with The Watch Project – Chard**

The AONB work closely with The Watch Project in Chard. This includes receiving direct referrals and linking up with them for volunteer training. The Somerset Nature Connections Project Manager also volunteers as a Director to support the project from a Nature and Wellbeing perspective.

### **Sweet Surprise**

Recently the AONB have linked up with Sweet Surprise, a day care provider supporting adults with Learning Disabilities based in Ilminster. The AONB's work with the group is to support those attending to find connections with local nature and wildlife through hands on experiences. The AONB have linked the group up with a local landowner/business keen to share their land and wildflower meadow with others and get others involved.

### **AONB plans for 22/23**

- Core work will involve advising on/ commenting on planning applications, co-ordinating events (those hosted by the AONB and supporting those of others), community empowerment including via small Sustainable Development Grants, active website with many opportunities to become engaged
- The AONB Management Plan review is proposed to start in early 2023, ready for the revised plan to run from 2025-2030, although this is being agreed with Defra and Natural England in principle
- Somerset Nature Connections, Farming in Protected Landscapes, nature recovery and climate resilience are priorities, alongside people engagement and conserving/ enhancing heritage

### **Benefit of continued engagement**

- Proven partnership delivering AONB Management Plan and Duty of Regard for SDDC under Sec 85 & 89 of the Countryside and Rights of Way Act (CRoW Act) 2000
- Excellent multiplier of SDDC's £6,000 – approximately 1:34
- Provides specialist planning advice to SDDC Planning Officers
- Helps deliver SDDC's Council Plan and Strategies
- Continuation of partnership working with key public and private sector partners
- Ability to access additional funding for local projects
- Strong cross-sector and community engagement and support
- Key partnership targeting rural economy, farming and forestry
- Policy development benefits e.g. Landscape Character Assessment
- Ambassador for SDDC

## **Financial Implications**

Like the other local authorities that make up the partnership, SDDC continues to contribute an annual grant towards the running costs of the AONB and has already agreed to adopt the AONB five-year Management Plan 2019-2024. The agreed



financial contribution of £6,000 per annum has been funded through existing budgets in 2021/22.

If this £6,000 award is agreed, funding will be paid from the existing Area West 2022/23 budget.

## Council Plan Implications

Working in partnership with the Blackdown Hills AONB contributes to:

### *Focus 1: High quality cost effective services*

- Transform customer services through technology
- Provide access to services to suit our customers' needs
- Actively manage assets and resources to ensure the best financial or community return
- Seek business opportunities for the council
- Work with partners to achieve economies, resilience and influence

*Focus 2: Economy* To promote a strong and growing economy with thriving urban, rural and land based businesses and improving productivity we will:

- Work with businesses and use our assets
- Advise and support initiatives that ensure worker skills meet the employer's needs
- Lobby for and support infrastructure improvements to enable growth
- Capitalise on our high quality culture, leisure and tourism opportunities to bring people into the district

### *Focus 3: Environment*

To keep South Somerset clean, green and attractive we will work in partnership to:

- Promote recycling and minimise waste
- Promote the use of 'green' technology
- Maintain and promote access to our Country Parks and open spaces to promote good mental and physical health
- Keep streets and neighbourhoods clean and attractive
- Continue to support long term flood resilience
- Promote a high quality built environment in line with Local Plan policies
- Support communities to develop and implement local, parish and neighbourhood plans

### *Focus 4: Homes*

To enable the provision of housing that meets the future and existing needs of residents and employers we will work with partners to:

- Minimise homelessness and rough sleeping
- Work with the private rented sector to improve the standard and availability of rented accommodation
- Tackle fuel poverty



## South Somerset District Council

- Work to minimise the impact of personal or household debt
- Enable people to live independently for as long as they are able

### Focus 5: Health and Communities

To build healthy, self-reliant, active communities we will:

- Support communities so that they can identify their needs and develop local solutions
- Target support to areas of need
- Help people to live well by enabling quality cultural, leisure, play, sport & healthy lifestyle facilities & activities
- Work with partners to tackle health issues such as diabetes and hypertension and mental health
- Work with our partners to keep our communities safe

### Area West Chapter Implications

- Continue to support the Blackdown Hills AONB

### Carbon Emissions and Climate Change Implications

- The Blackdown Hills AONB website is a useful resource for homeowners seeking information on renewable energy and light pollution

### SSDC Environment Strategy

- Work to achieve a significant reduction in emissions and improve carbon-offset rates across the geography of South Somerset, through direct action, by supporting the communities of South Somerset to meet their ambitions and through the way we do things; ensuring that working towards carbon neutrality is a thread which runs through all of our decision-making

### Equality and Diversity Implications

<i>An Equality Impact Relevance Check Form has been completed in respect of the Proposal?</i>	Yes
<i>The Impact Relevance Check indicated that a full EIA was required?</i>	No
<i>An EIA was <b>not</b> required. Please see the attach Impact Relevance Check Form as an Appendix to this report.</i>	
<b>Additional Comments</b>	
<i>The Blackdown Hills AONB aims to provide for all</i>	



### **Background Papers**

- Area West Committee – Blackdown Hills AONB May 2021
- Area West Committee – Blackdown Hills AONB January 2020
- Area West Committee – Blackdown Hills AONB April 2019
- Area West Committee – Blackdown Hills AONB December 2018
- Area West Committee – Blackdown Hills AONB December 2017
- Area West Committee – Blackdown Hills AONB December 2016
- Area West Committee – Blackdown Hills AONB December 2015
- Area West Committee – Blackdown Hills AONB December 2014
- Area West Committee – Natural Futures February 2014
- Area West Committee – Blackdown Hills AONB October 2013
- Area West Committee – Blackdown Hills AONB October 2012

# Equality Impact Relevance Check Form



The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. This tool will identify the equalities relevance of a proposal, and establish whether a full Equality Impact Assessment will be required.

What is the proposal?	
Name of the proposal	Blackdown Hills AONB
Type of proposal (new or changed Strategy, policy, project, service or budget):	Annual Update
Brief description of the proposal:	Update of the work of the Blackdown Hills AONB
Name of lead officer:	Adrian Moore

You should consider whether the proposal has the potential to negatively impact on citizens or staff in the following ways:

- Access to or participation in a service,
- Levels of representation in our workforce, or
- Reducing quality of life (i.e. health, education, standard of living)

A negative impact is any change that could be considered detrimental. If a negative impact is imposed on any citizens or staff with protected characteristics, the Council has a legal duty to undertake a full Equality Impact Assessment.

Could your proposal negatively impact citizens with protected characteristics? (This includes service users and the wider community)	<b>NO</b>
Could your proposal negatively impact staff with protected characteristics? (i.e. reduction in posts, changes to working hours or locations, changes in pay)	<b>NO</b>

<b>Is a full Equality Impact Assessment required?</b>	<b>NO</b>
<b>If Yes,</b> Please provide a brief description of where there may be negative impacts, and for whom. Then complete a full Equality Impact assessment Form	
<b>If No,</b> Please set out your justification for why not.	
The Blackdown Hills AONB works for all and aims to ensure that people with limited mobility can enjoy the countryside easily by promoting easy access trails. To help make the Blackdown Hills AONB website a positive place for everyone, they use the Web Content Accessibility Guidelines (WCAG) 2.0. Level A. The AONB is partner funded by 2 County Councils and 4 District Councils and is overseen through Management Committees made up of Councillors and Officers from these authorities which helps to deliver the equality policies of all.	
Service Director / Manager sign-off and date	Tim Cook - 09/05/22
Equalities Officer sign-off and date	Dave Crisfield 9 <sup>th</sup> May 2022

## Stop Line Way - Progress Report

Strategic Director: Kirsty Larkins, Director of Service Delivery  
Service Manager: Tim Cook, Locality Manager  
Lead Officer: Adrian Moore, Locality Officer  
Contact Details: [adrian.moore@southsomerset.gov.uk](mailto:adrian.moore@southsomerset.gov.uk)

## Purpose of the Report

Councillors are asked to consider the awarding from Area West Reserves; the sum of £12,000, towards a Refreshed Sustrans Feasibility Study focussing on re-routeing a section of the Stop Line Way Route 33 long distance, coast-to-coast, multi-use walking and cycling route south-east of Chard.

## Public Interest

The Stop Line Way project has applied to the Area West for financial assistance with the costs of a Refreshed Sustrans Feasibility Study. The Locality Officer is submitting this report to enable the Area West Committee to make an informed decision.

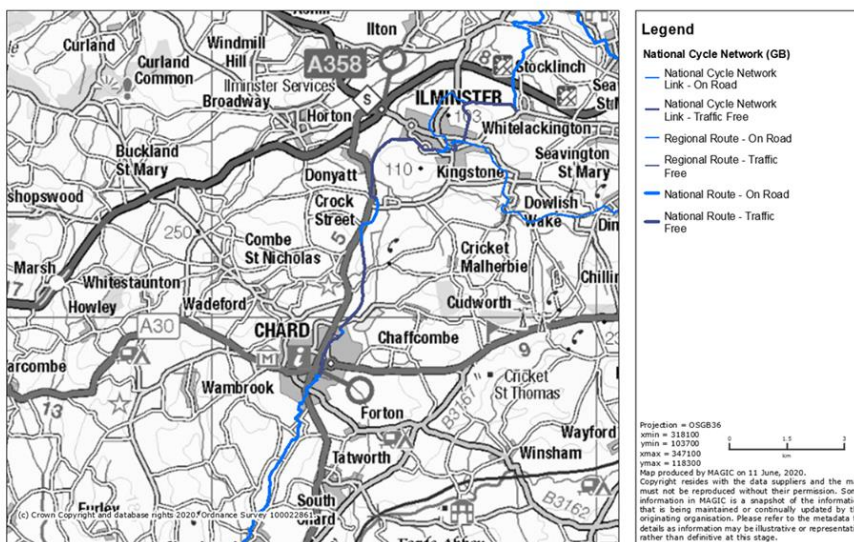
## Recommendations

1. It is recommended that Councillors award £12,000, the monies to be allocated from Area West Reserves.

## Background

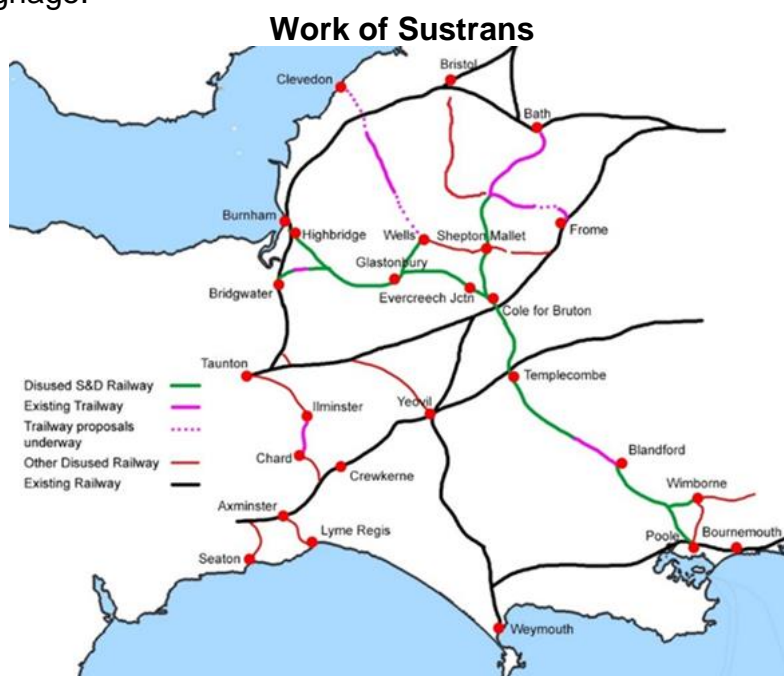
SSDC has ambitions to re-route a section of the Stop Line Way (SLW) Sustrans Route 33 long distance, coast-to-coast, multi-use walking and cycling trail south-east of Chard.

MAGiC SLW National Cycle Network Route 33



Long distance multi-use trails are a collective name for often themed trails that pass through the countryside, villages, towns and sometimes cities. They follow a multitude of routes and often follow old railway lines. They are used by cyclists, pedestrians, horse riders, runners, wheel chair users and other all ability access vehicles. Sections are also used as 'Green Commuter Routes' and 'Safe Routes to Schools'.

SDDC has attempted a number of times over the last 15 years to make improvements to a new off-road section of the SLW without success. The section of the SLW that runs through South Somerset largely follows the track of the old Great Western Railway from Ilminster to the south of Chard. As the SLW continues southwards past Chard to the parish of Tatworth it follows a rather complicated and vague route on paths and roads through industrial estates and residential areas, which is not very easy to follow due to poor signage.



It is the ambition of SDDC to improve the SLW route while working with funding agencies, developers and other land owners by enabling the SLW to continue along the old railway line of the former Great Western Railway route and other designated routes where possible towards Devon. The SLW project has ambitions to include all ability access improvements and a conservation management plan for the section that runs through South Somerset to create a diverse wildlife corridor that links the landscape, improves the existing conservation value and increases the valuable local biodiversity.

The Locality Officer has recently carried out research into identify the barriers to the implementation of long distance multi-use trails such as the SLW. This has included face to face and phone interviews with Councillors and staff from Local Authorities and associated organisations across the UK that have successful involvement in long



distance multi-use trails. To capture useful information and knowledge an online survey was developed using 'Citizen Space'. Over 525 surveys were sent to all Local Authorities in the UK. 55 Local Authorities with specific involvement with long distance multi-use trails responded.

The key barriers identified to the further development of the SLW are land ownership, capital funding, maintenance funding, Infrastructure, legal status, land availability and lengthy legal processes.

In order to overcome these barriers, it is recommended that:

- Land is secured through ownership or long term tenure and a suitable legal route is established
- Internal and external capital funding is secured
- An annual maintenance budget is agreed and secured
- A partnership steering group is established of Local Authorities and relevant agencies such as e.g. Sustrans, Cycling UK and Transport Focus
- The support of local landowners is established
- Local community support is established
- Political support is established and implementation of the SLW long distance multi-use trail is agreed in policy by the existing District Council and the new incoming Somerset Council.
- A conservation management plan is developed

There is a huge momentum behind getting people out into the fresh air and wider countryside. Government is targeting new funding to improve cycling opportunities in towns and out into the countryside.

A refreshed feasibility study will help to facilitate decision making and development of new local government policies, help to secure local government funding and help key into new central government funding opportunities.

## **The Project**

To carry out a thorough Refreshed Feasibility Study to develop the off-road route of the SLW to the south and east of Chard towards Tatworth and to link with the route on into Devon. This feasibility study will build on the body of work undertaken by Sustrans, SSDC and County Council in earlier years.

Sustrans is the charity that makes it easier for people to walk and cycle. Building multi-user paths to connect communities throughout the UK has been one of their core offers for many years.

### **Proposal:**

Sustrans will provide the following key deliverables within the feasibility study. Each deliverable will be a section of the completed report.

## **1. Introduction**

### **1.1) Purpose**

*This initial section sets out the case for why this route is an important walking and cycling link and why it should be developed further.*

## **2. Background and Context**

## **3. Strategic Case**

*i.e. why this route is important to local connectivity*

### **3.1) Existing Network**

*Articulation of local problems and opportunities, for example what barriers are there to cycling on this route at present and what opportunities does the potential future development bring*

### **3.2) Existing Travel Corridors**

### **3.3) Quiet Lane Status**

## **4. Route Options Appraisal**

*Sustrans will provide a formal appraisal of the route options under consideration. This will be done using the 'Levels of Service Tool' provided in Appendix A of LTN 1/20 (Cycling infrastructure Design Guide)*

*These options will be shown on appropriate large scale maps and with photographs to describe the proposed alignments. The options will be described under the following headings:*

### **4.1) Overview of routes**

*Describing the key characteristics of the route and key locations it serves*

### **4.2) Topography & Elevation Profiles**

### **4.3) Landscape & Land Use**

*Key context or background information*

### **4.4) Existing Public Rights of Way**

### **4.5) Existing conditions**

*e.g. surfacing, width, signage, traffic flows*

### **4.6) Opportunities and constraints**

*identifying positives and negatives of each route option*

*This analysis will be completed via a combination of site visits, conversations with local stakeholders, and using online mapping sources*

## **5. Ecological Desktop Review**

*The report will contain a preliminary analysis by Sustran's in house Ecology Team. This will consist of an initial desktop assessment of all route options appraised. It is not proposed to go as far as a formal Preliminary Ecological Assessment. The outcome of the analysis will give an early indication as to what the likely ecological considerations will be, and for that information to inform any decision about a preferred route option.*

## **6. Surface Materials**

## **7. Land and Permissions**

### **7.1) Creation of a new cycle route**

### **7.2) Land Ownership & Stakeholders**

*A list of registered landowners affected by each of the options will be provided. (subject to data guidelines).*

## **8. Preferred route alignment**





## South Somerset District Council

*This section will present the preferred route alignment, as a result of the information gathered in the previous sections. It will deal with key sections such as access to and egress from the Highway, road crossings, sudden changes in elevation and other significant challenges on the route.*

### 9. Level of Service Appraisal

#### 9.1) Summary Matrix

### 10. Summary and Next Steps

*The final section of the feasibility study will summarise the information presented and conclusion reached. It will clearly outline the next steps required to realise the route, e.g. land negotiation, engagement with key stakeholders such as local highway authority, develop engineering feasibility and cost estimates.*

### Project costs

Project costs	Cost £
Sustrans - Feasibility Study	12,000
<b>Total</b>	<b>12,000</b>

### Conclusion and Recommendation

It is recommended that £12,000 is awarded from Area West Reserves.

### Financial Implications

There is £40,220 in the Area West Reserves budget, if £12,000 is agreed, a balance of £28,220 will remain.

### Council Plan Implications

Council Plan themes and areas of focus for 2021/22

Health and Communities - To build healthy, self-reliant, active communities we will:

- Help people to live well by enabling quality cultural, leisure, play, sport & healthy lifestyle facilities & activities

### Carbon Emissions and Climate Change Implications

None to report at this stage

### Equality and Diversity Implications

The feasibility study aims to provide for people across all age and interest groups in the local community.



## South Somerset District Council

<i>An Equality Impact Relevance Check Form has been completed in respect of the Proposal?</i>	Yes
<i>The Impact Relevance Check indicated that a full EIA was required?</i>	No
<i>An EIA was <b>not</b> required. Please see the attach Impact Relevance Check Form as an Appendix to this report.</i>	
<b>Additional Comments</b>	
<i>'The Stop Line Way - Refreshed Feasibility Study' is an SSDC project, which aims to provide for all abilities and will follow SSDC's equality policy and guidelines.</i>	

### Background Papers

- Area West Committee – Stop Line Way July 2020

# Equality Impact Relevance Check Form



The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. This tool will identify the equalities relevance of a proposal, and establish whether a full Equality Impact Assessment will be required.

What is the proposal?	
Name of the proposal	Stop Line Way
Type of proposal (new or changed Strategy, policy, project, service or budget):	Progress Report
Brief description of the proposal:	Refreshed Sustrans Feasibility Study
Name of lead officer:	Adrian Moore

You should consider whether the proposal has the potential to negatively impact on citizens or staff in the following ways:

- Access to or participation in a service,
- Levels of representation in our workforce, or
- Reducing quality of life (i.e. health, education, standard of living)

A negative impact is any change that could be considered detrimental. If a negative impact is imposed on any citizens or staff with protected characteristics, the Council has a legal duty to undertake a full Equality Impact Assessment.

Could your proposal negatively impact citizens with protected characteristics? (This includes service users and the wider community)	<b>NO</b>
Could your proposal negatively impact staff with protected characteristics? (i.e. reduction in posts, changes to working hours or locations, changes in pay)	<b>NO</b>

<b>Is a full Equality Impact Assessment required?</b>	<b>NO</b>
<b>If Yes,</b> Please provide a brief description of where there may be negative impacts, and for whom. Then complete a full Equality Impact assessment Form	
<b>If No,</b> Please set out your justification for why not.	
'The Stop Line Way - Refreshed Feasibility Study' is an SSDC project, which aims to provide for all abilities and will follow SSDC's equality policy and guidelines.	
Service Director / Manager sign-off and date	Tim Cook - 09/05/22
Equalities Officer sign-off and date	Dave Crisfield - 9 <sup>th</sup> May 2022



## **Area West Committee Forward Plan**

Strategic Director: Nicola Hix, Strategy & Support Services  
Agenda Coordinator: Jo Morris, Case Officer (Strategy & Support Services)  
Contact Details: jo.morris@southsomerset.gov.uk

## **Purpose of the Report**

This report informs Members of the agreed Area West Committee Forward Plan.

## **Recommendations**

Members are asked to:

- a. Comment upon and note the proposed Area West Forward Plan as attached;
- b. Identify priorities for further reports to be added to the Area West Forward Plan.

## **Area West Committee Forward Plan**

The Forward Plan sets out items and issues to be discussed by the Area West Committee over the coming few months.

The Forward Plan will be reviewed and updated each month in consultation with the Chairman. It is included each month on the Area West Committee agenda and members may endorse or request amendments.

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.

Councillors, service managers, partners and members of the public may request that an item is placed within the forward plan for a future meeting by contacting the agenda co-ordinator.

## **Background Papers**

None.

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**Notes**

- (1) Items marked in italics are not yet confirmed.
- (2) Further details on these items, or to suggest / request an agenda item for the Area Committee, please contact the Agenda Co-ordinator; Jo Morris, 01935 462055 or e-mail [jo.morris@southsomerset.gov.uk](mailto:jo.morris@southsomerset.gov.uk)

<b>Meeting Date</b>	<b>Agenda Item</b>	<b>Lead Officer(s) SSDC unless stated otherwise</b>
<i>15<sup>th</sup> June 2022</i>	<i>Flooding report</i>	<i>Jessica Power, Lead Specialist Strategic Planning</i>
<i>15<sup>th</sup> June 2022</i>	<i>Chard Eastern Development Area Eastern Relief Road Options</i>	<i>Peter Paddon, Acting Director Place &amp; Recovery / Lead Specialist Economy</i>
<i>15<sup>th</sup> June 2022</i>	<i>Appointment to Outside Organisations</i>	<i>Jo Morris, Case Officer (Strategy &amp; Support Services)</i>
<i>15<sup>th</sup> June 2022</i>	<i>Scheme of Delegation – Development Control – Nomination of Substitutes for Chairman and Vice-Chairman for 2022/23</i>	<i>Jo Morris, Case Officer (Strategy &amp; Support Services)</i>
<i>TBC</i>	<i>Historic Buildings at Risk</i>	<i>John Hammond, Lead Specialist Built Environment</i>
<i>TBC</i>	<i>S106 Obligations</i>	<i>Tim Cook, Locality Team Manager</i>
<i>TBC</i>	<i>Community Grants -New changing rooms at Jocelyn Park, Chard -Broadway Playing Field</i>	<i>Nathan Turnbull, Locality Officer</i>



## Planning Appeals

Strategic Director: Kirsty Larkins, Service Delivery  
Lead Specialist: John Hammond, Lead Specialist – Built Environment  
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.

## Recommendation

That members note the report.

## 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.

## Appeals Received

Appeal Ref: APP/R3325/C/22/3293846 – Breach of Planning Control  
Land OS 0125, Seaborough Road, Crewkerne, Somerset

## Appeals Dismissed

19/00953/FUL - Demolish existing rear extension and the erection of a two storey rear extension comprising 2 No. flats.  
18 Abbey Street Crewkerne Somerset TA18 7HY  
(Officer delegated decision)

## Appeals Allowed

None

## Background Papers

None



## Appeal Decision

Site Visit made on 9 November 2021

**by R E Jones BSc (Hons) DipTP MRTPI**

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

**Decision date: 09 February 2022**

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**Appeal Ref: APP/R3325/W/21/3275984**

**18 Abbey Street, Crewkerne, Somerset TA18 7HY**

- 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 First Court Accommodation Ltd against the decision of South Somerset District Council.
  - The application Ref 19/00953/FUL, dated 20 March 2019, was refused by notice dated 3 March 2021.
  - The development proposed is 2 flats replacing vacant rear extension.
- 

### Decision

1. The appeal is dismissed.

### Application for Costs

2. An application for Costs was made by First Court Accommodation against South Somerset District Council. This application is the subject of a separate Decision.

### Preliminary Matters

3. A previous appeal decision<sup>1</sup> at the site dismissed the development of residential accommodation and rear additions to the building. My decision has taken into account that previous decision and the drawings that related to it.
4. The appeal site is located adjacent to several listed buildings while also within the Crewkerne Conservation Area (CA). Accordingly, the Act<sup>2</sup> requires that special regard is given to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses, and of preserving or enhancing the character or appearance of a conservation area.

### Main Issues

5. The effect of the proposed development on the character and appearance of the CA and the setting of adjacent listed buildings; the living conditions of future residential occupiers in terms of noise and disturbance, daylight and external amenity space provision; and the integrity of the Somerset Levels and Moors habitats sites.

### Reasons

*The significance of the CA and adjacent listed buildings*

6. The CA's special interest includes its remarkable and coherent historic townscape, with extensive groups of historical buildings. These buildings have experienced

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<sup>1</sup> APP/R3325/W/17/3192686, dismissed 28 March 2018

<sup>2</sup> Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act)

very little modern intrusions or architectural detriments. The appeal property is a large, detached building with Tudor Revival details, and according to the Crewkerne Conservation Area Appraisal (CCAA) is one of over 60 key buildings and structures which have particular historical interest or architectural merit.

7. The property's rear façade incorporates a distinctive outrigger with chimney stack, an off-centre gable and windows of varying size and arrangement. Those features generally align with the architectural style of the building. The rear does not have the same grandeur or detailing as the front elevation facing Abbey Street, yet this largely intact secondary façade reinforces the architectural understanding of the building, particularly given its prominence from the public car park to the side and rear. Therefore, in so far, as it relates to this appeal, the CA derives some of its significance from the largely unaltered appearance and historical aesthetic of the host property.
8. There are several Grade II listed buildings lining Abbey Street which are in close proximity to the appeal site. Those on the northern frontage include The Chimes and 22 Abbey Street. On the opposite side are Nos 3, 6, 8 and 10 Abbey Street, the Factory to East of No 3 and the Old Shirt Factory. These buildings derive a great deal of their significance from their cohesive alignment and the historic detailing they share with adjoining frontage buildings along Abbey Street. In terms of the appeal building, its contribution to the setting and therefore significance of those listed buildings either side and opposite, is primarily derived from it being one element of the frontage that reinforces the historical character of the street.

*The effect on the CA and the setting of the listed buildings*

9. The proposal would have a deep mono-pitch roof projection that would extend across most of the appeal building's rear elevation. In this regard the proposal would lack subordination to the host property and dominate its rear. Furthermore, it would cut across the rear gable and result in the loss of the distinctive outrigger and a number of small window openings, eroding some of the building's innate character. Whilst the proposal has a somewhat traditional form with matching materials, its deep mono-pitch roof profile and domineering scale would not harmonise with the architectural style and historic character of the host property. The proposal's effect would therefore be detrimental to the character and appearance of this key building and its contribution to the CA's significance.
10. It is acknowledged that the appellant has sought to amend the scheme previously dismissed at appeal, by altering the roof profile and reducing its projection from the side and rear. Nevertheless, these alterations have not convinced me that the CA's character or appearance would be preserved or enhanced.
11. The appellant considers that the proposal would resolve the somewhat unkempt and overgrown appearance at the site's rear. But this could be addressed in ways other than the proposal before me.
12. The special features of the listed buildings nearby would primarily be experienced at close range from street level along the southern and northern sides of Abbey Street. The proposed development would be set behind the appeal property's frontage and below its ridgeline, such that it would not be immediately apparent from Abbey Street. Accordingly, it would not disrupt the cohesiveness of the listed buildings along the frontage or harm their settings.
13. Therefore, and notwithstanding my findings in respect of the effect on nearby listed buildings, the proposal would harm rather than preserve or enhance the character and appearance of the conservation area. It would be contrary to Policy EQ3 of the South Somerset Local Plan (2006-2028), adopted March 2015 (the Local Plan) and



the aims of Paragraph 197 of the National Planning Policy Framework (2021) (the Framework), which together are concerned with heritage assets and the preservation and enhancement of their significance, character, setting and local distinctiveness.

*Living conditions of future occupiers*

14. A bedroom window and two living room windows serving the proposed ground floor flat would face the 5 parking spaces proposed. These windows would be located a very short distance from those spaces. Given the proximity of the windows to the parking spaces, the flat's future occupiers would inevitably experience audible noise and disturbance from engines, vehicles manoeuvring, loading and unloading and car doors closing. Additionally, vehicle lights would shine directly at the flat's windows. These occurrences would likely be more intensive at the start and the end of the day when residents would be leaving. The flat's proximity to the spaces would expose future occupiers to daily disturbances that would be encroaching and unpleasant in nature. The effect of this would create an unattractive living environment that would be harmful to future occupiers of the flat.
15. The disturbance caused by vehicle noise and lights shining into the ground floor flat's habitable rooms could be mitigated to some extent by boundary treatment. But the proximity of where the boundary would need to be erected, together with its height could have an unacceptable effect on the living conditions of future occupiers of the flat by limiting daylight to the rooms. Therefore, a boundary enclosure condition would be unlikely to address my concerns, and if anything, it could add to them.
16. The appellant refers to the lack of objection on this matter in the previous appeal decision. However, that case related to a different design and parking layout at the rear of the building. Also, it appears from floor plans, relating to that scheme, that there were no habitable room windows facing some of the parking spaces. Accordingly, the scheme before me differs and I have assessed the changes on their individual merits.
17. In terms of external amenity provision, I have not been referred to any specific guidance on space requirements, nevertheless, Policy EQ2 of the Local Plan refers to the creation of quality places when considering new development, while Paragraph 130 of the Framework requires proposals to function well and incorporate a high standard of amenity for future users.
18. An area of communal external amenity space primarily to the appeal building's west is indicated on the drawings. This would also be used for storage and clothes drying and be made available to the occupiers of the proposed flats as well as 6 other flats previously approved within the appeal building.
19. To access the space, however, future occupiers would need to leave their flats via a staircase and hallway, then enter through an external security door off the parking forecourt, followed by access through the secure waste/cycle parking compound. Although not a long route for future occupiers, it would be protracted and inconvenient, especially for activities such as clothes drying. Therefore, the communal garden would be in a poorly designed space that would be disconnected from the internal living areas of the proposed flats and make it undesirable and unappealing to future occupiers.
20. The communal space is of a size that would offer suitable functionality for future residents of the approved and proposed flats. However, this would not overcome my concerns in relation to the space's design and proximity to the proposed flats. Moreover, the immediacy of the communal space to the bedroom window at the

- ground floor would result in occupiers of that unit being exposed to unacceptable levels of noise and disturbance from activities associated with the space.
21. The appellant suggests that future occupiers would have the choice on whether to live at this location. Be that as it may, the Local Plan and the Framework both advise that new housing should ensure a high standard of amenity for existing and future occupiers. In this respect the proposal falls short of that standard, for the reasons given.
  22. I have been referred to a scheme approved by the Council at the 'Old Shirt Factory', which the appellant considers to be unacceptable insofar as it relates to the living conditions of its residents. Yet, as I do not have the full details that led to the Council's approval of that scheme, I cannot therefore consider it as a compelling precedent.
  23. In view of the above, the proposed development would result in unsatisfactory living conditions for future residential occupiers in terms of noise and disturbance, daylight and external amenity space provision, that would be contrary to Policies EQ2 and HW1 of the Local Plan and Paragraph 130 of the Framework. Together, these require, in part, that the external and internal space needs of future occupiers are of a high-quality design and standard of amenity.
  24. The Council's refusal notice refers to Policy EQ3. As this relates specifically to heritage matters, I have not used it in my conclusion above.

#### *Habitat sites*

25. The appeal site falls within the river catchment flowing into the Somerset Levels and Moors Special Protection Area (SPA) and Ramsar Site which is listed under the Ramsar Convention. The Ramsar Site is designated for its internationally important wetland features including the floristic and invertebrate diversity and species of its ditches. At present, the important features of the Somerset Levels and Moors Ramsar Site are considered unfavourable, or at risk, from the effects of eutrophication caused by excessive phosphates. Additional residential properties within the catchment have the potential to add to phosphorous nutrient loads through sewage discharge, contributing to the existing unfavourable condition and further preventing the site from achieving its conservation objectives.
26. Due to the location of the site, the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations) requires the decision maker to undertake an Appropriate Assessment (AA) where there are likely significant effects from the proposal, either alone or in combination with other plans or projects. This responsibility falls to me in the context of this appeal.
27. The proposed development would result in two additional residential units. In my view, and taking a precautionary approach, the proposal may have an effect on the levels of phosphate reaching the designated site thus contributing to its existing unfavourable condition, and further preventing the site in achieving its conservation objectives. For this reason, I consider that the proposal would be likely, alone and in combination with other plans and projects in the area, to have a significant effect on the Somerset Levels and Moors Ramsar Site.
28. The appellant's evidence indicates that the public foul sewer can accept the additional flows from the proposed flats. However, that only confirms that there is sufficient capacity available within the existing network. It does not clarify what effects the additional foul water discharges would have on nutrient levels within the wider river catchment. And whilst the appellant makes assurances that the

Somerset Levels needn't worry about the addition of two flats, there are no specific strategies before me that would affirm that position.

29. Therefore, in the absence of mitigation the proposal would result in a significant adverse effect on the integrity of the Somerset Levels and Moors habitats sites. Accordingly, it would conflict with Local Plan Policy EQ4 and EQ7, which requires that development must not risk the integrity of internationally, nationally or locally designated wildlife sites. It would also fail to accord with Paragraph 180 of the Framework relating to the protection of important habitat sites.

### **Other Matters**

30. The Council's evidence indicates that they cannot demonstrate a five-year land housing supply. Thus, the presumption in favour of sustainable development set out in Paragraph 11 d) of the Framework is engaged. However, despite the deficiency in the housing land supply, Footnote 7 of the Framework indicates that the presumption in favour of sustainable development does not apply where the application of policies that protect areas or assets of particular importance provides a clear reason for refusing the development proposed. CAs, SPAs and Ramsar sites are examples of such areas/assets and the proposal is contrary to the relevant policies of the Framework regarding these.

### **Planning Balance and Conclusion**

31. I have found that the proposed development would harm the character and appearance of the CA, the living conditions of future occupiers and the integrity of the Somerset Levels and Moors habitats sites.
32. Paragraph 199 of the Framework advises that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It goes on to advise that significance can be harmed or lost through alteration or destruction of the heritage asset or within its setting. Given my findings above, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight. Under such circumstances, paragraph 202 of the Framework advises that this harm should be weighed against the public benefits of the proposal.
33. I acknowledge that the development would bring 2 No, one-bedroom flats in a sustainable location close to the town's services. This attracts significant weight as a public benefit. However, this would not outweigh the harm identified above to the significance of the CA, the conservation of which the Framework indicates that great weight should be given. I conclude therefore that the proposal would fail to preserve the special character of the CA. This would fail to satisfy the requirements of the Act, paragraph 197 of the Framework and it would not be in accordance with the development plan.

*RE Jones*

INSPECTOR