



---

## Appeal Decision

Site visit made on 12 August 2019

**by Neil Pope BA (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 15 August 2019

---

**Appeal Ref: APP/R3325/W/18/3210232**

**Land adjoining former Victory Garage, Church Street, Winsham, Chard, Somerset, TA20 4JD.**

- 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 and Mrs M Pike against the decision of South Somerset District Council (the LPA).
  - The application Ref.18/01601/FUL, dated 30/4/18, was refused by notice dated 2/8/18.
  - The development proposed is the erection of a pair of two bedroomed semi-detached dwellinghouses and associated parking.
- 

### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. The appeal site lies within the Winsham Conservation Area (CA) and forms part of the setting of grade II\* listed Church of St. Stephen.
3. I understand that the LPA is unable to demonstrate a five year housing land supply. As set out in Footnote 6 of the National Planning Policy Framework (the Framework), the tilted balance contained within paragraph 11(d) would only apply if policies to protect designated heritage assets were not offended.

### Main Issue

4. The main issue is whether the proposal would preserve the setting of the Church of St. Stephen and preserve or enhance the character or appearance of the CA.

### Reasons

5. This 0.19 ha site comprises part of a field at the rear of the former Victory Garage which is now being redeveloped as four dwellings (ref. 17/00033/FUL). Whilst I understand that in the past the site was used as a storage and overflow area for the garage, its lawful use appears to be agricultural.
6. Whatever the actual planning status of the appeal site, it forms part of the pleasing open landscape that abuts the western edge of the village of Winsham and assists in maintaining the broadly linear form of the settlement.
7. The CA covers a sizeable part of the village and is focused on the historic core. The significance of this area is derived primarily from its special architectural qualities, which include various listed buildings, such as the Church of St. Stephen which dates from the 13<sup>th</sup> century and grade II listed 19<sup>th</sup> century

buildings in Church Street, as well as its historic qualities which include its early medieval street layout. Many of the gardens, open spaces and fields (including the appeal site) that form part of the CA also contribute to the significance (historic interest) of this designated heritage asset.

8. The significance of the Church of St. Stephen is derived primarily from its architectural qualities, including the chancel, nave, tower, panelled doors and windows, as well as its historic interest, including its building fabric, its focus for rural worship and associations with notable former residents of the parish. The open fields (including the appeal site) and countryside to the south and west form part of the historic landscape setting of the church and contribute to the significance (historic interest) of this designated heritage asset.
9. The proposed two storey houses would be sited to the rear (west) of the houses currently under construction and would be designed to reflect the local vernacular. The slab level of these buildings would be considerably lower than the level of Church Street to the east and for a large part of the year, boundary vegetation would screen much of the development from public view.
10. However, during the winter the proposed dwellings would be visible. Whilst seeing a development does not in itself amount to harm, the proposal would intrude into and erode the open land within this part of the CA<sup>1</sup> and, in so doing, adversely affect the character, appearance and significance of the CA.
11. I also agree with the LPA's Landscape Architect that these additional dwellings would be seen with the four dwellings already approved alongside and would comprise an awkward finger of development protruding into the landscape setting of the CA and at odds with the characteristic grain of development.
12. In the context of the Framework the adverse impact upon the CA would comprise less than substantial harm to the significance of this designated heritage asset. However, this does not amount to a less than substantial planning objection. Great weight should be given to an asset's conservation.
13. During the winter, the proposed dwellings would be glimpsed from part of the churchyard of the Church of St. Stephen, as well as intruding into some glimpsed views of the church. The height and mass of the new building would detract from an appreciation of the historic rural landscape setting of the church and harm its significance. In the context of the Framework, it would comprise less than substantial harm.
14. The proposed development would provide public benefits through additional self-build housing, support for local services and facilities and would help to address the shortfall in housing land supply within the district. However, this would be insufficient to outweigh the harm that I have identified above.
15. The proposal would fail to preserve the setting of the Church of St. Stephen and would not preserve or enhance the character or appearance of the CA. It conflicts with the most relevant provisions of the development plan<sup>2</sup>, as well as the provisions of the Framework. The appeal should not therefore succeed.

*Neil Pope*  
Inspector

---

<sup>1</sup> Davies Close and much of Court Farm Close lie outside the boundary of the CA.

<sup>2</sup> Policy EQ3 of the South Somerset Local Plan (2006-2028).