

## Area West Committee

**Wednesday 15th February 2023**

**5.30 pm**

**The Guildhall,  
Fore Street, Chard TA20 1PP**

(disabled access and a hearing loop are available at this meeting venue)



The following members are requested to attend this meeting:

Brian Hamilton  
Robin Pailthorpe  
Jason Baker  
Mike Best  
Ray Buckler  
Dave Bulmer

Martin Carnell  
Ben Hodgson  
Val Keitch  
Jenny Kenton  
Paul Maxwell  
Tricia O'Brien

Sue Osborne  
Oliver Patrick  
Garry Shortland  
Martin Wale

There are no planning applications to consider this month.

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

Please note this meeting will not be available to view on YouTube.

This Agenda was issued on Monday 6 February 2023.

**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**

The council has a well-established area committee system and through four area committees seeks to strengthen links between the Council and its local communities, allowing planning and other local issues to be decided at a local level (planning recommendations outside council policy are referred to the district wide Regulation Committee).

Decisions made by area committees, which include financial or policy implications are generally classed as executive decisions. Where these financial or policy decisions have a significant impact on council budgets or the local community, agendas will record these decisions as “key decisions”. The council’s Executive Forward Plan can be viewed online for details of executive/key decisions which are scheduled to be taken in the coming months. Non-executive decisions taken by area committees include planning, and other quasi-judicial decisions.

At area committee meetings members of the public are able to:

- attend and make verbal or written representations, except where, for example, personal or confidential matters are being discussed;
- at the area committee chairman’s discretion, members of the public are permitted to speak for up to up to three minutes on agenda items; and
- see agenda reports

Meetings of the Area West Committee are usually held monthly, at 5.30pm, on the third Wednesday of the month (unless specified otherwise).

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

<https://modgov.southsomerset.gov.uk/ieDocHome.aspx?bcr=1>

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 committees**

### **Public question time**

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

### **Planning applications**

Consideration of planning applications at this meeting will commence no earlier than the time stated at the front of the agenda and on the planning applications schedule. The public and representatives of parish/town councils will be invited to speak on the individual planning applications at the time they are considered.

Comments should be confined to additional information or issues, which have not been fully covered in the officer’s report. Members of the public are asked to submit any additional documents to the planning officer at least 72 hours in advance and not to present them to the Committee on the day of the meeting. This will give the planning officer the opportunity to respond appropriately. Information from the public should not be tabled at the meeting. It should also be noted that, in the interests of fairness, the use of presentational aids (e.g. PowerPoint)

by the applicant/agent or those making representations will not be permitted. However, the applicant/agent or those making representations are able to ask the planning officer to include photographs/images within the officer's presentation subject to them being received by the officer at least 72 hours prior to the meeting. No more than 5 photographs/images either supporting or against the application to be submitted. The planning officer will also need to be satisfied that the photographs are appropriate in terms of planning grounds.

At the committee chairman's discretion, members of the public are permitted to speak for up to three minutes each and where there are a number of persons wishing to speak they should be encouraged to choose one spokesperson to speak either for the applicant or on behalf of any supporters or objectors to the application. The total period allowed for such participation on each application shall not normally exceed 15 minutes.

The order of speaking on planning items will be:

- Town or Parish Council Spokesperson
- Objectors
- Supporters
- Applicant and/or Agent
- District Council Ward Member

If a member of the public wishes to speak they must inform the committee administrator before the meeting begins of their name and whether they have supporting comments or objections and who they are representing. This must be done by completing one of the public participation slips available at the meeting.

In exceptional circumstances, the Chairman of the Committee shall have discretion to vary the procedure set out to ensure fairness to all sides.

## **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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# Area West Committee

## Wednesday 15 February 2023

### Agenda

#### *Preliminary Items*

#### 1. To approve as a correct record the Minutes of the Previous Meeting

To approve as a correct record the minutes of the previous meeting held on 7 December 2022. The minutes can be viewed at:

<https://modgov.southsomerset.gov.uk/ieListMeetings.aspx?CId=131&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, Paul Maxwell, Sue Osborne and Martin Wale.

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 and Venue for Next Meeting

Councillors are requested to note that the next Area West Committee meeting is scheduled to be held on Wednesday 22 March in The Guildhall, Chard, commencing at 5.30pm.

## **5. Public Question Time**

This is a chance to ask questions, make comments and raise matters of concern.

Parish/Town Councils may also wish to use this opportunity to ask for the District Council's support on any matter of particular concern to their Parish/Town.

Anyone wishing to raise matters in relation to items on the agenda may do so at the time the item is considered.

## **6. Chairman's Announcements**

### *Items for Discussion*

**7. Community Grant to Merriott Tithe Barn Project (Executive Decision** (Pages 6 - 13)

**8. Update on Section 106 Schemes** (Pages 14 - 23)

**9. Area West Committee - Forward Plan** (Pages 24 - 25)

**10. Planning Appeals** (Pages 26 - 30)

**Please note that the decisions taken by Area Committees may be called in for scrutiny by the Council's Scrutiny Committee prior to implementation.**

**This does not apply to decisions taken on planning applications.**



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## Community Grant to Merriott Tithe Barn Project (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](mailto:Nathan.turnbull@southsomerset.gov.uk) or 01935 462462

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### Purpose of the Report

Councillors are asked to consider the awarding of a grant towards Merriott Tithe Barn project.

### Public Interest

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

Merriott Tithe Barn has applied to the Area West community grants programme for financial assistance with the costs of Installing new guttering, new flooring, and damp-proof membrane at Merriott Tithe Barn. 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 Area West Committee award a grant of £8,085 towards Merriott Tithe Barn project, the grant to be allocated from the Area West capital programme and subject to SSDC standard conditions for community grants (Appendix A)

### Merriott Tithe Barn Project

#### Application Details

Name of applicant:	Merriott Tithe Barn Committee
Project:	Installing new guttering, new flooring, and damp-proof membrane at Merriott Tithe Barn
Total project cost:	£21,391
Amount requested from SSDC:	£8,085
% Amount requested	17.3%
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	2	2
C Supports Environment Strategy	3	2
D Need for Project	10	9
E Capacity of Organisation	15	10
F Financial need	7	3
Total	38	27

## Background

The Tithe Barn was gifted to Merriott Church in 1913 for the benefit of the village. It is held by the diocese and is run on a day-to-day basis by the Tithe Barn Committee.

Tithe Barn was given to the Church for the benefit of the village and the church. The Committee has a duty to preserve this 14th century building for use by a wide range of groups and clubs in Merriott.

Parish*	Merriott
Parish Population	1979
No. of dwellings	882

\*Taken from the 2011 census profile

## The project

The Tithe Barn is in danger of becoming unsafe, currently part of the hall has been cordoned off due to falling masonry. The west wall has moved, and heli-pins need to be inserted to stop further movement. External and internal repointing with lime mortar is necessary. This is the first phase of work that needs to be completed before the second phase can start, this work has been funded by the committee and external funds.

The Community grant application is to support phase 2 of the project, the floor is a major concern because it's becoming unsafe for users due to uneven surfaces and the risk of injury from screws and nails. This floor was replaced a hundred years ago and has subsequently become damp and rotten. Repeated short-term attempts at repair with screws and nails, have now rusted and the boards are moving and uneven. Dampness from the floor is causing secondary damage to the wall panelling. They will

remove this floor, install DPM and a new wooden floor. They will also replace the plastic guttering, which has become bent and unfit for purpose, causing damage to the west wall. They aim to replace this with cast iron guttering, which would be longer lasting and return the external appearance of the Tithe Barn to its original appearance

### Local support / evidence of need

Merriott currently has two community halls. Merriott Tithe Barn is the smaller village hall in Merriott. The Hall is used by Scouts and Cubs, Merriott Majorettes, Gardening Club, Merriott Dog Training, Gardening Club, Bridge Club, Badminton Club, Minnows Parent and Baby Group, Evergreen Games and Social Club and Café Church. There is no capacity for these activities to move into the Village Hall as it is fully booked every day except weekends. The groups which are using the Tithe Barn value it as a lower cost, smaller venue and recognise its value in the village. Around three hundred people use the hall every week.

This project is supported by Merriott Parish Council

### Project costs

Project costs	Cost £
Remove plastic guttering and replace with cast iron guttering	£5,188.
Remove wooden floor and install DPM and install new wooden flooring	£16,203
<b>Total</b>	<b>£21,391</b>

### Funding plan

Funding source	Secured or pending	Amount £
Parish/Town Council	pending	£100
Own Funds	Secured	£750
Awards for all	Secured	£9,956
Merriott Heritage Trust	Secured	£2,500
SSDC Community Grant	Pending	£8,085
<b>Total</b>		<b>£21,391</b>

Following on from the last Committee meeting, please see advice provided from SSDC legal team towards restrictions on contributions towards church owned properties.

*Section 1 of the Localism Act 2011 provides local authorities with the power to do anything an individual may do, subject to a number of limitations (known as the general power of competence). A local authority may exercise the power for its own purpose, for a commercial purpose and/or for the benefit of others. In exercising the power, a local authority is still subject to its general duties (such as the fiduciary duties it owes to its*



*local taxpayers) and to the public law requirements to exercise the general power of competence for a proper purpose.*

*Section 137(3) of the Local Government Act 1972 provides a power for local authorities to incur expenditure on "contributions to:*

- (a) the funds of any charitable body in furtherance of its work in the United Kingdom; or*
- (b) the funds of any body which provides any public service [(whether to the public at large or to any section of it) ] in the United Kingdom otherwise than for the purposes of gain".*

*Section 8 of Localism Act 2011 dictates that the general power of competence applies to only eligible parish councils. Since 28 March 2012, parish councils in England have been able to rely on the power if they are eligible. A parish council is eligible if the council has resolved at a meeting of the council and each subsequent relevant annual meeting that it meets the following conditions:*

- The number of members of the council that have been declared to be elected, whether at ordinary elections or at a by-election, is equal to or greater than two-thirds of the total number of members of the council (that is, the council must not have more than a third of its seats vacant).*
- The clerk to the parish council holds the:*
  - Certificate in Local Council Administration;*
  - Certificate of Higher Education in Local Policy;*
  - Certificate of Higher Education in Local Council Administration; or*
  - first level of the foundation degree in Community Engagement and Governance awarded by the University of Gloucestershire or its successor qualifications.*
- The clerk to the parish council has completed the relevant training in the exercise of the general power, or training provided in accordance with the national training strategy for parish councils adopted by the National Association of Local Councils, unless such training was required for the purpose of obtaining one of the above qualifications.*

*If the conditions cease to be met following the resolution, the council will continue to be eligible until the next relevant annual meeting. If the exercise of this power is curtailed by any restriction those restrictions will also apply to the General Power.*

*In conclusion, if the parish council met the conditions above - it is eligible to exercise the general power and contribute to the expenditure of the repairs to the church owned property.*

## Conclusion and Recommendation

It is recommended that the grant of £8,805 is awarded.

## Financial Implications

Following on from the November report £22,716 Area West Capital funding and £6,535 Area West revenue funding was available, grants of £20,617 were awarded leaving a total remaining balance of £8,834. If £8,085 is awarded to Merriott Tithe Barn Project, the Area West Capital funding will reduce to a balance of £0 and the Area West revenue funding will reduce to a balance of £549.00.

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

**To enable healthy communities which are cohesive, sustainable and enjoy a high quality of life.**

- Work with partners to support people in improving their physical and mental health and wellbeing
- Enable quality cultural, leisure and sport activities

### Environment

**To keep South Somerset clean, green, and attractive and respond to the climate and ecological emergency we will work in partnership to:**

- Continue the delivery of the Environment Strategy action plan, reducing our carbon emissions by 10% every year, to reach carbon neutrality by 2030



## Equality and Diversity Implications

<i>An Equality Impact Relevance Check Form has been completed in respect of the Proposals?</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>	
The project aims to provide for people across all age and interest groups in the local community.	

## Background Papers

Report to Area West Committee – December 2022

## **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.

#### **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.

#### **Special conditions**

*Projects need to be completed within 6 months of award letter being signed.*

# 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	Merriott Tithe Barn Committee
Type of proposal (new or changed Strategy, policy, project, service or budget):	Community Grant
Brief description of the proposal:	Installing new guttering, new flooring, and damp-proof membrane
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.	
The Village Hall floor Improvements are to create and bring the hall back up to a usable standard. The facilities are accessible to all abilities including those requiring wheelchair accessibility, including provision of accesible toilets. A full EIA is therefore not required.	
Service Director / Manager sign-off and date	Tim Cook - 29/11/22
Equalities Officer sign-off and date	Dave Crisfield - 29 <sup>th</sup> November 2022

## Update on Section 106 Schemes

Executive Portfolio Holder: Tony Lock, Protecting Core Services  
Strategic Director: Kirsty Larkins, Service Delivery  
Lead Officer: Kirsty Larkins, Director for Service Delivery  
Contact Details: Kirsty.larkins@southsomerset.gov.uk

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## Purpose of the Report

1. The purpose of this report is to give an update on the Section 106 (s106) schemes across South Somerset and update Members regarding the new system for monitoring s106.

## Public Interest

2. Appendix A sets out the money we have received and allocated in relation to Section 106 (s106) agreements. The report also explains how the public will be able to view up-to-date information through the Councils website.

## Recommendations

3. That Area West Committee agree to:-
  - a. Note the contents of the report;
  - b. Review Appendices A and B and identify any missing development schemes or any completed schemes to ensure an accurate and complete record of Section 106 contributions.

## Background

4. This report was presented to District Executive on 05 January 2023 and it was recommended that the report be circulated to all Area Chairman and Members to seek assistance in identifying any missing data. At the Area Chairman's discretion the report would be presented to the relevant Area Committee for a collated response.
5. Section 106 of the Town and Country Planning Act 1990 allows a local planning authority, to enter into a legally binding agreement or planning obligation with a landowner as part of granting planning permission. The obligation is termed a section 106 agreement.
6. These agreements are a way of delivering or addressing matters that are necessary to make a development acceptable in planning terms. They can be used to support the provision of services and infrastructure, such as highways, recreational facilities, education, health, and affordable housing.

7. Following Audit Recommendations for a complete and accurate record of all S106 agreements, a team has been working on improving record keeping and reporting capabilities through the implementation of a new system called Exacom.

## Section 106 Data

8. Appendix A sets out by area, the s106 contributions we have received between January 2010 and November 2022, along with the monies we have allocated/spent. Members will see from the information we have received c£11.9M in s106 contributions and allocate/spent c£6.9M. The Localities Team will remain focused on ensuring remaining balances are spent on the agreed obligations, continuing as we move into the new Somerset authority.

## Next Steps

9. Over the last few months, a team have been cleansing and collating data from several sources to bring all the s106 information together in one place. This work is now nearly complete. There has been a slight delay whilst the team worked with the other districts to bring all the data together ready for the Somerset Authority in April 2023. The data on the Exacom system will be show information from the year 2000, until present day.
10. Appendix B shows an example of the types of reports and information we will be able to obtain from Exacom. These reports will be run monthly from March and uploaded to the Council's (SSDC and then Somerset Council) website giving much greater transparency about the money we receive from developers and how the money is spent.
11. As demonstrated by the example, we will be able to provide much greater detail of the planning obligation(s) when the trigger points occur and the status of the projects. The system provides a big step forward in the way we share this information, and will mark a huge improvement.
12. In addition to the information provided in appendix A and B we are due to release our latest annual Infrastructure Funding Statement (IFS), covering the period April 1st 2021 to March 31st 2022. This is required by Government and provides a summary of receipts and spending of developer contributions under S106 Agreements and the Community Infrastructure Levy (CIL). The IFS will be available to view by 31 December on our [website](#) under South Somerset District Council CIL Reports and Infrastructure Funding Statements (IFS).

## Financial Implications

13. No financial implications, the report is for information only

## Legal implications (if any) and details of Statutory Powers

14. There are no legal implications.

## Council Plan Implications

15. Section 106 funding supports all the Council's Values listed in the Council Plan 2020 – 2024 at this link: [Council Plan | South Somerset District Council](#)

## Carbon Emissions and Climate Change Implications

16. No implications, as the report is for information only.

## 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>	

## Privacy Impact Assessment

17. No assessment required as no personal data will be shared.

## Background Papers

None



## APPENDIX A

Planning Reference	Parish	Area	Site	Deposit £	Allocated/Spent	Balance	Notes
08/05323/FUL	Abbas/Templecombe	East	Hillcrest Road, Templecombe	39,654.00	39,654.00	0.00	
17/00335/FUL	Abbas/Templecombe	East	Vine St, Templecombe	8,610.20	0.00	8,610.20	
13/03593/OUT	Ansford	East	Well Farm, Castle Cary (Land Off Station Road)	176,822.21	118,552.24	58,269.97	
15/00519/OUT	Ansford	East	Land East of Station Road, Castle Cary	275,558.17	40,555.30	235,002.87	
15/02388/OUT	Ansford	East	Station Road, Castle Cary	119,186.93	27,308.00	91,878.93	
13/04069/FUL	Barton St David	East	Laurels Farm, Barton St David	26,210.82	26,210.82	0.00	
06/03915/OUT	Bruton	East	The Pastures, Frome Road, Bruton	191,284.00	139,166.00	52,118.00	
08/04305/FUL	Bruton	East	Cox's Close, Bruton	23,965.00	23,965.00	0.00	
11/00411/FUL	Bruton	East	New House Farm Burrowfield Bruton	39,386.56	9,023.25	30,363.31	
10/04370/FUL	Castle Cary	East	Cumnock Crescent Ansford Castle Cary	45,086.00	45,086.00	0.00	
04/01594/FUL	Charlton Horethorne	East	Suncrest, Level Lane, Charlton Horethorne	4,000.00	4,000.00	0.00	
07/05552/FUL	Henstridge	East	Woodhayes Henstridge Phase 2	40,727.00	40,727.00	0.00	
12/01887/OUT	Henstridge	East	Furge Lane, Henstridge	78,581.56	43,819.62	34,761.94	
14/03788/FUL	Keinton Mandeville	East	Land at Coombe Hill, Keinton Mandeville	10,905.04	10,905.04	0.00	
18/03740/FUL	Keinton Mandeville	East	Barton Road, Keinton Mandeville (Land North Of The Light House)(14/02896/OUT)	26,372.33	0.00	26,372.33	
12/03098/FUL	Kingsdon	East	Kingsdon Manor School	55,495.96	19,723.77	35,772.19	
15/04446/OUT	Limington	East	The Old Forge Limington	7,685.00	0.00	7,685.00	
09/04978/OUT	Milborne Port	East	Wheathill Lane Milborne Port	50,895.00	50,895.00	0.00	
14/03724/FUL	Milborne Port	East	Wheathill Nurseries, Milborne Port	170,775.29	142,906.05	27,869.24	
16/04237/OUT	Milborne Port	East	Gainsborough, Milborne Port	73,111.99	38,490.00	34,621.99	
09/04701/S73	North Cadbury	East	Home Farm, North Cadbury	6,984.00	6,984.00	0.00	
10/03926/FUL	Sparkford	East	Old Coal Yard, Sparkford	36,761.00	36,761.00	0.00	
14/05052/FUL	Sparkford	East	Land at The Burrows, Sparkford	79,107.03	0.00	79,107.03	
16/01436/OUT	Sparkford	East	Land OS 4859 off A303 Sparkford	9,560.81	0.00	9,560.81	
17/02044/FUL & 17/02045/FUL	Sparkford	East	Long Hazel Farm, Sparkford	54,608.48	0.00	54,608.48	
15/00288/OUT	Wincanton	East	Vedelaers Hey, Balsm Park, Wincanton	48,783.60	10,245.00	38,538.60	

Planning Reference	Parish	Area	Site	Deposit £	Allocated/Spent	Balance	Notes
11/02783/FUL	Curry Mallet	North	Lyddons Farm, Curry Mallet	15,500.00	10,198.00	5,302.00	
09/00023/FUL	Curry Rivel	North	Westfield Road, Curry Rivel	52,209.00	21,713.00	30,496.00	
13/04224/OUT	Curry Rivel	North	Land off Heale Lane, Curry Rivel	32,462.00	23,253.00	9,209.00	
16/04522/S73	Curry Rivel	North	Land North of Stanchester Way, Curry Rivel	129,203.20	47,238.46	81,964.74	
05/02818/OUT	Huish Episcopi	North	Bartletts Elm School, Field Road Huish Episcopi	227,479.49	9,524.00	217,955.49	
08/00652/FUL	Huish Episcopi	North	2/4/6 Bedwin Close Newtown Road Huish Episcopi	32,823.00	26,480.13	6,342.87	
10/03541/FUL	Huish Episcopi	North	Fern Green POS, Langport (Land North Of Newtown Park, Huish Episcopi)	209,065.88	152,823.00	56,242.88	
11/02448/FUL	Huish Episcopi	North	Chapel Yard, Babcary (Bartletts Elm)	199,097.36	117,530.72	81,566.64	
13/01232/FUL	Huish Episcopi	North	Old Kelways, Langport	56,091.86	50,156.69	5,935.17	
13/03483/OUT	Huish Episcopi	North	The Trial Ground, Somerton Rd, Langport	323,744.33	0.00	323,744.33	
08/05090/FUL	Ilton	North	Copse Road, Ilton	98,101.00	98,101.00	0.00	
07/03534/FUL	Langport	North	Land at Old Kelways, Somerton Road, Langport	236,721.03	212,755.38	23,965.65	
09/02237/FUL	Langport	North	Eastover, Langport	36,266.00	30,772.00	5,494.00	
12/04897/OUT	Martock	North	Water Street, Martock	205,389.48	25,019.22	180,370.26	
14/04642/FUL	Norton Sub Hamdon	North	Land forming part of the former Garden Centre, New Road, Norton Sub Hamdon	44,759.93	0.00	44,759.93	
14/01461/FUL	Seavington St Mary	North	New Road, Seavington St Mary	20,774.25	20,774.25	0.00	
13/03272/OUT	Somerton	North	Somerton Road, Langport (Land South Of Langport Road.)	268,671.35	6,834.94	261,836.41	
13/03663/FUL	Somerton	North	1-4 West Street, Somerton	52,367.26	15,114.51	37,252.75	
13/05122/OUT	Somerton	North	Town Farm ,Sutton Road,Somerton	65,830.49	42,627.10	23,203.39	
15/03232/FUL	Somerton	North	Former Highways Depot, Etsome Terrace, Somerton	15,426.11	0.00	15,426.11	
15/04331/S73	Somerton	North	Northfield Farm, Northfield, Somerton	156,704.37	1,405.00	155,299.37	
18/03483/OUT	Somerton	North	Land to the North of Bancombe Road Somerton (Phase 1)	66,583.33	3,494.28	63,089.05	
07/03984/FUL	South Petherton	North	Land Adjoining St Michaels Gardens,Lightgate Lane,South Petherton	175,286.89	174,709.25	577.64	
09/03095/FUL	South Petherton	North	Prigg Lane, South Petherton development	44,194.72	44,194.72	0.00	
12/04885/FUL	South Petherton	North	Hayes End, South Petherton	93,086.69	44,371.75	48,714.94	
13/02239/FUL	South Petherton	North	St Micheals Gardens, South Petherton	196,773.45	128,813.00	67,960.45	
17/04381/FUL	South Petherton	North	West End Close, South Petherton (Land Rear Of Beaufort Gardens)	51,346.80	502.00	50,844.80	
13/03622/FUL	Stoke Sub Hamdon	North	Land at East Stoke, Stoke Sub Hamdon	119,865.93	53,165.12	66,700.81	
16/03872/FUL	Stoke Sub Hamdon	North	Land at Greenfield Road, Stoke Sub Hamdon (Greatfield Lane)	65,730.69	630.35	65,100.34	
17/01096/OUT	Stoke Sub Hamdon	North	South side of West Street Stoke Sub Hamdon (Orchard View)	66,859.53	451.36	66,408.17	

Planning Reference	Parish	Area	Site	Deposit £	Allocated/Spent	Balance	Notes
05/00931/OUT	Brympton	South	Lufton Key Sites	446,442.57	0.00	446,442.57	
08/04357/FUL	Brympton	South	Alvington Farm Alvington Farmhouse 1 Alvington Lane Brympton	34,889.00	34,889.00	0.00	
97/01574/FUL	Brympton	South	Land at Alvington Land Adjoining Alvington Farm Alvington Lane Brympton	4,941.22	4,941.22	0.00	
15/02974/FUL	East Coker	South	Townsend Farm Main Street East Coker	48,265.54	0.00	48,265.54	
15/05598/FUL	Hardington Mandeville	South	Moor Lane, Hardington Moor, Hardington Mandeville	18,118.05	8,868.26	9,249.79	
11/04443/FUL	Mudford	South	13 Primrose Lane Mudford Yeovil	29,381.67	14,317.87	15,063.80	
12/02610/FUL	West Coker	South	Font Villas, West Coker	23,173.15	13,740.00	9,433.15	
13/01869/OUT	West Coker	South	Bunford Heights, West Coker	526,389.37	304,740.22	221,649.15	
05/00677/OUT	Yeovil	South	Former Seatons Garage, West Hendford, Yeovil	348,937.98	184,628.80	164,309.18	
07/03834/FUL	Yeovil	South	Dodham Crescent Yeovil	31,681.00	27,182.00	4,499.00	
07/04664/FUL	Yeovil	South	St Thomas Cross Yeovil	24,000.00	24,000.00	0.00	
07/04833/OUT	Yeovil	South	Land at Rear of Pen Mill Hotel	157,557.59	157,557.59	0.00	
08/04366/FUL	Yeovil	South	Milford Road, Hillcrest Road & Wingate Avenue, Yeovil	68,152.00	51,265.24	16,886.76	
08/05133/FUL	Yeovil	South	Larkhill Road, Yeovil	67,453.76	50,882.59	16,571.17	
09/02228/FUL	Yeovil	South	Greenhill Road Yeovil	87,355.00	87,347.26	7.74	
09/03801/FUL	Yeovil	South	St Georges Avenue, Yeovil	209,486.00	209,486.00	0.00	
09/04939/FUL	Yeovil	South	Land at Northbrook Road, Yeovil	92,790.00	92,731.00	59.00	
11/01793/FUL	Yeovil	South	Orchard Mews, 4 - 6 Orchard Street Yeovil	26,691.12	20,272.00	6,419.12	
13/02023/FUL	Yeovil	South	Land west of Cooksons Orchard Preston Grove Yeovil	15,000.00	0.00	15,000.00	
14/03581/FUL	Yeovil	South	Milford Inn, Yeovil	4,750.00	4,500.00	250.00	
14/05634/FUL	Yeovil	South	Queensway Place, Yeovil	24,525.93	24,525.93	0.00	
17/02896/FUL	Yeovil	South	Former Olds Motor Group, Sherborne Rd, Yeovil	160,956.47	0.00	160,956.47	
18/02462/FUL	Yeovil	South	8 Goldcroft, Yeovil	20,000.00	0.00	20,000.00	
06/01050/OUT	Yeovil Without	South	Linear Park / Wyndham Park (Lyde Road - Key Site)	1,068,849.80	721,334.73	347,515.07	

Planning Reference	Parish	Area	Site	Deposit £	Allocated/Spent	Balance	Notes
15/01053/OUT	Broadway	West	Land at Vardens farm, Broadway Street, Broadway	41,176.99	8,856.79	32,320.20	
16/03261/REM	Broadway	West	Land at Tanyard, Broadway	48,000.00	12,146.00	35,854.00	O/S £34,982.20
00/01878/OUT	Chard	West	Furnham Road, Chard	30,579.65	30,579.65	0.00	
07/00583/FUL	Chard	West	Beckington Cres, Auckland & Montague Way, Chard	23,168.00	10,000.00	0.00	
08/01695/OUT	Chard	West	Touches Lane, Chard	52,675.00	39,559.00	13,116.00	
09/01372/FUL	Chard	West	Cedar Close, Chard	67,211.49	42,089.55	25,121.94	
10/01967/FUL	Chard	West	Old Station Yard, Victoria Avenue, Chard	45,060.00	45,060.00	0.00	
11/04212/FUL	Chard	West	Mitchell Gardens, Chard	326,702.33	249,699.33	77,003.00	
12/02448/FUL	Chard	West	Manor Court, Chard	50,000.00	50,000.00	0.00	
12/04283/FUL	Chard	West	Plot 5 Chard Business Park, Thorndun Park	41,743.00	41,743.00	0.00	
12/04319/OUT	Chard	West	Land at Avishayes Road, Oaklands Chard	169,944.36	15,141.24	154,803.12	
14/05511/FUL	Chard	West	Land North of Dolling Close Chard	83,856.89	83,856.89	0.00	
18/02588/FUL	Chard	West	Land at Jarman Way, Chard	28,916.46	185.35	28,731.11	
12/03221/FUL	Chiselborough	West	Minchington Close Norton Sub Hamdon	8,602.18	8,602.18	0.00	
07/04736/FUL	Crewkerne	West	Maiden Beech Land At Maiden Beech Cathole Bridge Road Crewkerne	799,608.50	772,920.00	26,688.50	
18/01737/OUT	Crewkerne	West	Land South Of Kit Hill Crewkerne	92,341.10	0.00	92,341.10	to be passed to British Rail
18/02363/FUL	Crewkerne	West	North Street Trading Estate, North Street, Crewkerne	25,200.35	0.00	25,200.35	
01/01991/REM	Ilminster	West	Station Rd Ilminster	10,000.00	8,547.66	1,452.34	
06/02906/OUT	Ilminster	West	Shudrick Lane, Ilminster	138,994.62	138,994.62	0.00	
07/05553/FUL	Ilminster	West	Land at North Yard, 122 Station Road, Ilminster	42,148.00	42,148.00	0.00	
13/04760/FUL	Ilminster	West	Canal Way, Ilminster	543,533.48	416,362.68	127,170.80	
14/00025/FUL	Ilminster	West	Summervale Medical Centre, Ilminster	42,003.74	17,291.89	24,711.85	
17/04802/REM	Ilminster	West	Winterhay Lane, Ilminster	157,648.73	33,289.60	124,359.13	
12/02126/FUL	Merriott	West	Moorland Farm, Merriott	49,175.76	45,000.85	4,174.91	
12/04940/FUL	Merriott	West	Broadway Farm Barn Broadway	36,854.69	30,036.63	6,818.06	
18/01917/FUL	Merriott	West	Land off Shiremoor Hill, Merriott	35,304.46	0.00	35,304.46	
10/03721/FUL	Misterton	West	Bradforde Site, Station Road, Misterton	209,172.00	86,005.00	123,167.00	
17/03074/LBC	Tatworth and Forton	West	Manor Farm, Forton	97,960.00	97,960.00	0.00	

Appendix B

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Balance Comments End Date
<p><b>Ward:</b> AVISHAYES (CHARD)</p> <p>12/04319/OUT Parish Chard</p> <p>Land at Avishayes Road Oaklands Avenue Chard Somerset TA20 1HS</p> <p>Erection of 78 dwellings, new access and road (outline) (GR 333736/109130)</p> <p>Agreement Date: 15/09/2014</p>	<p><b>Sports and Leisure:</b> Offsite Leisure Contribution: £142,691.29 towards enhancing one or more of the facilities in Chard: Changing Rooms, Community Halls, Equipped Play, Playing Pitches and/or Youth facilities. Community Health &amp; Leisure Admin Fee: £1,426.91</p> <p><b>Education:</b> Education: £98,056.00 as a contribution towards the provision of primary school education within Chard.</p> <p><b>Affordable Housing: Units Agreed:</b> 20</p> <p><b>Miscellaneous Gains:</b> Public Open Space</p>	<p>50% of the Off-site Recreation, Admin Fee &amp; Education contributions payable on or before 25% of the dwellings.</p> <p>50% of the Off-site Recreation Contribution, Admin Fee &amp; Education contributions payable on or before 50% of the dwellings.</p>	<p><b>Received:</b></p> <p>1 March 21 £84,919.66</p> <p>15 September 21 £85,024.70</p>	<p><b>Education:</b> £98,056.00</p> <p><b>Miscellaneous Gains:</b> Public Open Space</p>	<p><b>Status:</b> Commenced</p> <p><b>Projects Funded:</b> Guildhall Air Conditioning - £11,603.00</p> <p>Admin Fee £3,538.24</p>	<p><b>Balance:</b> £154,803.12</p>
Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Balance Comments End Date
<p><b>Ward:</b> AVISHAYES (CHARD)</p> <p>08/01695/OUT Parish Chard</p> <p>Land At Touches Lane Chard Somerset TA20 1RY</p> <p>Residential development of land by the erection of 14 dwellings)</p> <p>Agreement Date; 10/01/2011</p>	<p><b>Sports and Leisure:</b> Playing Pitch Contribution: £28,332 comprised of £23,204 for enhancement or improvement of community sports pitches within Chard or local authority-maintained school in Chard together with £5,128 for the long term maintenance of those facilities. Youth Facilities Contribution: £2,170 for increasing capacity on the multi-use games area and skate park located at Jenson Park, Chard.</p> <p><b>Strategic Community Facilities Contribution:</b> £10,768 towards one or more of the following projects: a) the improvement of sports halls &amp; swimming pools within the Chard area b) the provision of synthetic sport pitches within the Chard area.</p> <p><b>Highways:</b> Contribution towards the MOVA traffic control scheme.</p>	<p>Contributions shall be paid in 3 equal parts on the sale of the 5th, 10th &amp; 14th dwelling</p>	<p><b>Received:</b> 28 November 17 £52,675.00</p>		<p><b>Status:</b> Underway</p> <p><b>Projects Funded:</b> Chard Swimming Pool - £10,894.00</p> <p>Jocelyn Park including commuted sums - £28,665.00</p>	<p><b>Balance:</b> £13,116.00</p>

Appendix B

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Balance Comments End Date
<p>Ward: COMBE (CHARD) 09/01372/FUL Parish Chard Land Off Cedar Close Chard Somerset TA20 1DB  The erection of 14 dwellings together with garaging and associated site works. (GR 331920/109103)  Agreement Date: 14/12/2009</p>	<p><b>Sports and Leisure:</b> Sports, Art &amp; Leisure Contribution: £41,208.64 for the provision of maintaining sports arts and leisure facilities in the area  <b>Equipped Play &amp; Youth Contribution:</b> £26,002.85 for the provision of maintaining equipped play and youth facilities in the area.</p>	<p>Contributions shall be paid before first occupation</p>	<p><b>Received:</b> £67,211.49 8 June 2011</p>		<p><b>Status:</b> Development Completed  <b>Projects Funded</b> Changing Facilities Holyrood AGP £4,198.00 Forton playing fields pavilion £15,000 Holyrood Academy Sports Hall refurbishment £14,234.00 Redstart Park Equipped Play £8,657.55</p>	<p><b>Balance:</b> £25,121.94  No time limits for spending monies.</p>
Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Balance Comments End Date
<p><b>Ward:</b> CREWKERNE TOWN 07/04736/FUL Parish Crewkerne  Land At Maiden Beech Cathole Bridge Road Crewkene Somerset  The erection of 114 No. dwellinghouses (GR 343850/108551)  Agreement Date: 13/08/2010</p>	<p><b>Sports and Leisure:</b> Changing Room Contribution: £175,378 to be paid immediately following the occupation of 35 Residential Units. To provide new or enhanced changing room facilities within 10 miles of Crewkerne.  Playing Pitch Contribution: £40,652 to be paid immediately following the occupation of 35 Residential Units. To provide new or enhanced sports provision within 10 miles of Crewkerne.  Equipped Play Area Commuted Sum: £44,000 to be transferred before no more that 50 Residential Units brought into occupation. To be provided to the District Council to adopt the LEAP and the recreational open space upon which it stands.</p>		<p><b>Received;</b> £411,655.00 16 April 2012  £129,059.00 30 September 2013  £258,894.50 20 January 2015</p>		<p><b>Status:</b> Development Completed  <b>Projects Funded</b> Henhayes £237,697.00 Happy Valley Skate Park £19,0398.00 Crewkerne Aqua Center £32,927.00 Westlands £61,314.00 SCC Education £147,251.00</p>	<p><b>Balance:</b> £0.00</p>

	<p>Sports Hall Contribution: £54,822 to be paid immediately following the occupation of 70 Residential Units. To provide new or enhanced sports hall provision within 10 miles of Crewkerne.</p> <p>Swimming Pool Contribution: £28,904 to be paid immediately following the occupation of 70 Residential Units. For new or enhanced swimming pool provision within 10 miles of Crewkerne.</p> <p>Youth Facilities Contribution: £17,028 to be paid immediately following the occupation of 105 Residential Units. To provide or enhance facilities for children above the age of 12 in the Crewkerne area.</p> <p><b>Highways:</b>                  Highways &amp; Transportation Contribution: £296,000 to be apportioned as follows:                  First Traffic Management Contribution: £87,000 to be paid immediately following the occupation of 35 Residential Units.</p> <p>Second Traffic Management Contribution: £87,000 to be paid immediately following the occupation of 70 Residential Units.</p> <p>Third Traffic Management Contribution: £87,000 to be paid immediately following the occupation of 105 Residential Units.</p> <p>Traffic Management Contributions towards County Council costs of implementing the proposals contained in the Town Centre Study relating to the management of traffic in the town center of Crewkerne and highway works in the immediate vicinity of the application site.</p> <p>Rural Bus Interchange Contribution: £35,000 to be paid immediately following the occupation of 35 Residential Units. To be put towards cost of the rural bus interchange within Crewkerne.</p> <p><b>Education:</b>                  Education Contribution: £236,251 to be apportioned as follows:                  Temporary Classroom Contribution: £89,000 to be paid immediately following the occupation of 15 Residential Units.                  First Education Contribution: £73,625.50 to be paid immediately following t</p> <p><b>Affordable Housing: Units Agreed: 40</b></p>					
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## **Area West Committee Forward Plan**

Strategic Director: Nicola Hix, Strategy, Support and Environmental 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.

## **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.

## **Background Papers**

None.

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**Notes**

(1) Items marked in italics are not yet confirmed.

<b>Meeting Date</b>	<b>Agenda Item</b>	<b>Lead Officer(s) SSDC unless stated otherwise</b>
<i>TBC</i>	<i>Chard Flood Report 2</i>	<i>Jess Power, Lead Specialist – Strategic Planning</i>
<i>TBC</i>	<i>Parrett Trail Tunnel</i>	<i>TBC</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

22/0024/ENF - Without planning permission, operational development in the form of construction of a building on agricultural land and the change of use of land from agricultural to residential.

Land South of The Old Farmhouse, Down Lane, Purtington, Chard, Somerset, TA20 4DH (Enforcement Appeal)

22/02139/PAMB – The Builders Yard, Wood Road, Ashill, Ilminster TA19 9NP.  
Notification of prior approval for a proposed Change of Use of agricultural storage building to 3 dwellinghouses.

## Appeals Dismissed

21/01903/FUL – Erection of a two-storey dwelling and ancillary garage/workshop.  
Land Os 1621, Higher Wambrook, Wambrook, Chard, Somerset.

## Appeals Allowed

None

## Background Papers

Decision notice attached.



## Appeal Decision

Site visit made on 3 January 2023

by **J Hills MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 31 January 2023

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**Appeal Ref: APP/R3325/W/22/3304608**

**Shepherd's Copse, Wambrook, Chard TA20 3DF**

- 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 Stephen Haines against the decision of South Somerset District Council.
  - The application Ref 21/01903/FUL, dated 11 June 2021, was refused by notice dated 16 February 2022.
  - The development proposed is described in the application as new two-storey dwelling and ancillary garage/workshop.
- 

### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues are (i) whether the site is a suitable location for the proposed development having regard to the provisions of local and national policy and the accessibility of services and facilities; (ii) the effect of the proposal on the character and appearance of the area; (iii) highway safety; and (iv) biodiversity.

### Reasons

#### *Location of development*

3. The dwellings that are positioned within large plots on the three sides surrounding the site represent a loosely defined ribbon of existing development on the periphery of the small hamlet of Higher Wambrook, rather than being an intrinsic part of it. Although the site is not isolated, it covers a wide and naturally vegetated area where the gap between properties either side of it is substantial, and therefore it could not reasonably be considered to be within any defined settlement.
4. The settlement strategy of the South Somerset Local Plan (2015) (SSLP) is to focus development on the main towns, with Chard being the nearest to the site. Outside the market towns and rural centres, rural settlements are considered to be part of the countryside where development is strictly controlled. Policy SS2 of the SSLP limits housing development to that meeting an identified need, particularly affordable housing. Furthermore, it maintains a presumption against housing development unless these settlements have access to two or more key services.
5. The proposal would not deliver affordable housing as set out in the National Planning Policy Framework (the Framework). Despite not being a bungalow or two bed accommodation that might be suited to particular occupants, it would nevertheless provide two storey family accommodation of a relatively modest scale, commensurate with nearby properties. Furthermore, I have not been

- provided with any substantive evidence to demonstrate there is no need for this particular form of development.
6. However, even if I were to consider the site to be part of a rural settlement, the faith facility, pub and farm shop are not clustered together and are some considerable distance away from the site. They would be accessed via unlit country lanes with no pavement. This would not be an inviting route for pedestrians or cyclists to have to navigate, particularly in the dark. Consequently, future occupants would be likely to be largely dependent on private vehicles for access to these limited facilities and beyond to Chard or other service centres to meet their day-to-day needs.
  7. Therefore, I conclude on this main issue that the site is not a suitable location for the proposed development having regard to the provisions of local and national policy and the accessibility of services and facilities. For the above reasons, the development would be in conflict with Policies SD1, SS1 and SS2 of the SSLP, which together in this respect direct new housing towards locations that have access to key services. There would be conflict with chapter 9 of the Framework which amongst other things gives priority to pedestrian and cycle movements, and so far as possible, facilitating access to public transport.

#### *Character and appearance of the area*

8. The appeal site is within a large and naturally vegetated field on a steep slope where views across the valley and into the open countryside are available. Although there are several properties in the vicinity, the immediate area surrounding the site is primarily rural where the slopes and woodland trees of varying maturity form a strong characteristic of the area that is designated as being within the Blackdown Hills Area of Outstanding Natural Beauty (AONB).
9. The proposed design, scale and spacing, and use of render would reflect that of other properties in the wider area. The proposed position of the property would be below the ridge line and against a backdrop of mature/semi mature trees. However, even if local stone were to form an external material finish, the elevated siting of the proposed property some distance from the access lane would not reflect the layout of properties either side and would introduce a prominent and imposing addition of built form into the rural landscape.
10. Whilst part of the site may be within an area of ancient woodland, it is largely within a clearing and would not require the removal of any trees. Furthermore, the suggested ground protection measures are reasonable, and I have not been provided with any substantive evidence that demonstrates they would be ineffective at maintaining the landscape features of trees within the site. Despite the appellants' additional planting of new species near the site, the introduction of buildings with associated residential activities would permanently disturb the natural landscape character that provides a buffer to the core area of woodland nearby. For the above reasons, the proposal would fail to conserve and enhance the landscape and scenic beauty of the AONB, to which the Framework attaches great weight.
11. Therefore, I conclude on this main issue that the proposal would cause significant harm to the character and appearance of the area. As such, the proposed development would be in conflict with Policies EQ2, EQ4, EQ5 and EQ6 of the SSLP which in this respect seek to conserve and enhance the landscape character of the area and maximise opportunities for enhancement of natural habitats. The proposal would conflict with chapter 15 of the Framework which amongst other things attaches great weight to the protection and enhancement of valued landscapes.

### *Highway safety*

12. Access to the site from the highway is on a steep gradient, with clear views available in both directions. Based on my observations on site, the provision of visibility splays could be secured by means of a planning condition if I were minded to allow the appeal. The appellant advises that the parking would be at the foot of the slope to avoid substantial earthwork higher up the site and that they do not intend to substantially alter the existing access. However, the submitted plans show a narrow access arrangement surrounded by retained trees and their root protection areas. It does not annotate parking spaces and does not demonstrate how vehicles would be able to turn within the site to exit in a forward gear. As a result, it is likely that vehicles would be required to reverse onto the highway or attempt to park on a narrow verge. Accordingly, the proposed layout would not provide sufficient parking and turning to allow vehicles to enter/exit the site in a safe and suitable manner.
13. I therefore conclude on this main issue that the proposal would have a harmful effect on highway safety. As such, the proposal would be in conflict with Policies TA5 and TA6 of the SSLP which amongst other things seek to deliver car parking at levels appropriate to the development and its location. There would also be conflict with chapter 9 of the Framework which seeks to ensure that a suitable access to the site can be achieved for all users.

### *Biodiversity*

14. The submitted ecology report recommends that a static bat detector survey is required owing to the high value habitat surrounding the site. No such survey has been provided.
15. The Planning Practice Guidance indicates that an ecological survey will be necessary in advance of a planning application if the type and location of development are such that the impact on biodiversity may be significant and existing information is lacking or inadequate. Without any survey of the relevant features, it is simply not known whether protected species are present and, if there are, whether mitigation measures would be appropriate. There is a further question concerning the implementation of any such measures. Given this degree of uncertainty, the use of conditions would not be reasonable in this case.
16. The absence of sufficient information means I cannot rule out potentially significant harm to biodiversity. As such, the proposed development would be contrary to Policy EQ4 of the SSLP which seeks to promote biodiversity through an assessment of existing nature conservation assets on a site. It would also fail to accord with paragraph 180 of the Framework where it states that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

### **Other Matters**

17. The Council has confirmed that, since the refusal of the planning application and the submission of the appeal, Natural England has raised a potential further issue in respect of phosphate mitigation in connection with new housing within the River Axe catchment.
18. Within the context of this appeal, the responsibility for assessing the effects of the proposal on the European designated site falls to me as the competent authority. Had I been minded to allow the appeal, and the circumstances therefore existed in which planning permission could be granted, it would have been necessary for me

to examine this matter further, and to undertake an Appropriate Assessment (AA) of the implications of the appeal scheme for the European designated site.

19. However, as the main issues regarding the suitability of the location for housing, character and appearance, highway safety and biodiversity provide clear reasons for dismissing the appeal, the outcome of any such AA would have no bearing on the overall outcome of this appeal. There is therefore no need for me to consider this matter any further as part of my decision, since any findings on this issue would not change the appeal outcome.

### **Planning Balance**

20. I acknowledge that the Council cannot demonstrate a 5-year land supply. However, in accordance with footnote 7 of the Framework, as I have found the scheme would neither preserve nor enhance the character or appearance of the AONB, a designated area, it is the case that the policies in the Framework provide a clear reason for dismissing the appeal.
21. In the context of the development plan, I have found that the proposal would be in conflict with Policies SD1, SS1, SS2, EQ2, EQ4, EQ5, EQ6, TA5 and TA6 of the SSLP. In this respect, I have found these policies to be generally consistent with the relevant aims of the Framework, where it says decisions should provide a safe and suitable access and give priority to pedestrian and cycle movements, conserve and enhance landscape and scenic beauty and avoid developments that would cause significant harm to biodiversity. Therefore, I give the conflict to these policies substantial weight.
22. The proposed new property would make a modest yet meaningful contribution towards a shortfall in housing supply and would provide a family home that would generate short term employment opportunities during its construction, which weighs moderately in favour. Given the lack of information regarding the effects of the scheme on biodiversity and the effect on the AONB, the environmental benefits would be limited. For the above reasons, the proposal would not accord with the development plan when considered as a whole.

### **Conclusion**

23. For the reasons above, and taking into account all other matters raised, I conclude that the proposed development would fail to accord with the development plan as a whole and there are no considerations individually or cumulatively that outweigh this. Therefore, the appeal is dismissed and planning permission is refused.

*J Hills*

INSPECTOR