



The countryside charity
Somerset

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Dear Sirs,

PLANNING APPLICATION REF: 22/01720/OUT- 120 houses , Land South of B3153, Keinton Mandeville

CPRE Somerset wish to OBJECT to this planning application.

Principle of Development

1. We consider that the very large scale of this proposed development is entirely inappropriate for a Rural Settlement. The site covers an area equivalent in size to between one third and one quarter of the size of Keinton Mandeville's built-up area (LVIA Drawing LA 001 - Landscape Context Plan).
2. Development on this large scale in a Rural Settlement is not consistent with LP Policy SS1 : Settlement Strategy which sets out a hierarchy of settlements in the district ranging from the largest -Yeovil- which is the prime focus for development in the district, followed by Primary Market Towns (Chard, Crewkerne, Ilminster and Wincanton); followed by Local Market Towns (Ansford/ Castle Cary, Langport /Huish Episcopi, and Somerton; followed by Rural Centres (Bruton, Ilchester, Martock/Bower Hinton, Milborne Port, South Petherton and Stoke sub Hamdon). Rural Settlements including Keinton Mandeville , at the bottom of the hierarchy, are considered part of the countryside to which national countryside protection policies apply (subject to the exceptions identified in Local Plan Policy SS2).
3. The site forms a large and important part of the attractive landscape setting of the village, on its west side that has access to footpaths and the superb views across the wider landscape. The proposal is deeply intrusive into the open countryside, as can most clearly be seen in Viewpoints 1-5 (viewpoints from within the site looking across the site), and Viewpoint 13, in the Applicant's submitted LVIA. It occupies a very prominent position on the hilltop and is visible over a very wide distance, as clearly demonstrated in the Zone of Theoretical Visibility (ZTV) analysis [Drawing LA 004, LVIA]. This ZTV analysis confirms that the buildings would be seen from multiple points in the wider landscape even if they are set back further than shown in the outline plan.
4. The main characteristics of the site are its openness; prominent position on high ground overlooking lower ground ; its rural and agricultural nature; a tranquil place to enjoy the views across the landscape (which do not exist on the east side of the village due to its flat topography at that location); and its role in providing a transition between Keinton Mandeville and its wider landscape. The proposed development would cause a significant detrimental change to these characteristics.

Local Plan Policies SS1 and SS2

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5. The Applicant's Planning Statement acknowledges that the proposal is contrary to the LP Policy SS1 : Settlement Strategy and Criteria 1 and 3 of LP Policy SS2, in that it does not provide employment opportunities appropriate to the scale of the settlement, nor meets identified housing need, particularly for affordable housing [Planning Statement, para 9.2 -' Principle of Residential Development '].

6. In addition to not meeting Criteria 1 and 3 of LP Policy SS2, which is acknowledged by the Applicant, we consider that the proposal fails to comply with LP Policy SS2 for the following additional reasons: 1. It is not commensurate with the scale and character of the settlement; 2. It is not consistent with relevant community led plans 3. There is no evidence that it has the support of the community 4. There is no evidence of robust engagement and consultation with the Parish Council.

Housing and Economic Land Availability Assessment 2021 (HELAA)

7. The site broadly coincides with four blocks of land which were assessed in the 2021 Housing and Economic Land Availability Assessment (HELAA). Three of those blocks were considered as not suitable for development- E/KEMA-14/ 15 and 16. We disagree with the Applicant's claim that recent acquisition of control of all four blocks should by itself justify a very large housing estate, as the scale of the proposed development is not commensurate with the scale of the settlement. The scale of landscape and visual effects resulting from developing four blocks rather than the northernmost one considered suitable for 7 units [E/KEMA-13] would be unacceptable.

LP Policy EQ2

8. We consider that the proposal does not accord with LP Policy EQ2- General Development. It does not conserve or enhance the landscape character of the area, but would cause high adverse changes to landscape character [as explicitly acknowledged at section 6.14 in the Applicant's Landscape and Visual Impact Appraisal (LVIA)]. The proposed suburban-style cul-de-sac back land development is alien to the predominantly linear pattern of development along the main streets in the village, and does not reinforce local distinctiveness nor respect local context. The LVIA argues that the harm to the landscape would be reduced to 'minor adverse significance ' by screening the development with dense vegetation but this would block the locally highly valued views of the wider landscape, as seen from the long stretches of well-used public footpaths that run through the site. This side of the village has the public footpaths with the views across the landscape, making it especially important to have special regard for them. Moreover dense planting/screening would not conceal the intrinsic change to the landscape, particularly in winter months when the leaves have fallen. Furthermore, this suggested mitigation underplays the adverse impacts that would be caused to a large swathe of the attractive and currently open rural setting of the village edge at this location.

The Local Plan Review (LPR)

9. We consider that neither the current Local Plan nor the proposals in the Local Plan Review could remotely justify the scale of this proposed development.

10. The Planning Statement says that that the proposal should be approved ' in the context of an insufficient 5 year Housing Land Supply, a delayed Local Plan Review, and Keinton Mandeville being considered a sustainable appropriate for further growth ' [Planning Statement , para 8.3]. The Applicant implies that there is no limit to growth in KM, but this does not accord with the LPR proposals.

11. It is important to note that the LPR provisions for ‘Villages’, which will likely be incorporated in a new unitary plan to be adopted after 2023 by the new Unitary Authority, do not envisage unlimited growth in Keinton Mandeville, but ‘*small scale growth*’ [LPR, para 5.20].

12. The LPR has proposed a new tier of settlement called ‘Villages’ with a capital ‘V’ as a greater proportion of overall growth will be directed away from Yeovil into the other settlements (from 47% down to 33%). Keinton Mandeville is one of the 12 villages in South Somerset which has been selected for this new designation.

13. Para 5.47 of the LPR says that the housing requirement for the new tier of Villages over a 20 year period 2016-2036 will be 1314 (out of a district wide need over the period for 14,510), reducing to 722 after adjusting for completions and commitments (=approvals) as at March 2018. This is explained in the LPR as equating to 60 dwellings per Village spread over 20 years, or three new dwellings per year in the village for 20 years.

14. This means that growth is envisaged to remain proportionate to KM’s existing size and function., while remaining ‘in line with’ the range of 3 new dwellings a year for the settlement (Emerging Policy SS2).

15. Furthermore para 5.70 of the LPR says : ‘ new development at Villages will be expected to adjoin the existing main built settlement and respect the character and setting of the settlement in accordance with other policies in this Local Plan Review [LPR, para 5.70].

16. We note that the existing Policy EQ2 will remain unchanged in the new Local Plan (see above), and that this vital protection will not be lost.

17. There is a proposed new landscape policy EC4 in the LPR which requires that proposals for development should ‘ *take into account the local distinctiveness and the main characters of each landscape area* ’ . The Applicant’s LVIA at Section 6.2 claims that large scale development of villages as now proposed is ‘typical of settlement in National Character Area 143 -Mid Somerset Hills’, but this is a misinterpretation of the NCA text.

18. One of the features of Keinton Mandeville’s village landscape character area is that it has good sized orchards interspersed with built form (Landscapes of South Somerset, 1993, SSDC publication). This distinctive settlement pattern is not consistent with the placing of large scale in depth housing estates next to each other.

19. The cumulative impact of placing the proposed large scale development next to the Lake View housing estate, which was permitted as a good use of a redundant quarry, is that distinctive local character would not be conserved. The inclusion of an orchard and allotments in the proposed scheme does little to conserve or enhance the character and appearance of the village because it would be a small area in the context of a very large housing estate.

The Applicant’s Landscape and Visual Impact Assessment (LVIA)

20. We question whether the Applicant’s submitted 60 pp LVIA follows the Landscape Institute’s *Guidelines for Landscape and Visual Impact Assessment, Third Edition* (‘GLVIA’) as claimed by the Applicant.

21. The LVIA contains a large number of convoluted and confusing tables, some of which lack any clear meaning or explanation (for example , Tables C and E simply consist of grids of single words). Many combine the results from other tables and the resulting picture lacks clarity. GLVIA para 3.27 on p. 38 specifically advises as a ‘*key principle*’ against over-use of weighting of criteria suggesting a spurious level of precision in the judgments, and advises against the inappropriate combining of scores to produce results.

22. The 'Definitions' devised by the consultant to reach its judgements are confusing. For example, 'Medium Value Landscape' is defined to include 'undesigned landscape with high scenic qualityand intact landscape character' [LVIA, Appendix 1-Assessment Definitions].

23. The LVIA concludes that the landscape impacts of a very large proposed 120 house development will be 'minor adverse' [para 6.14]. We do not consider that this is a correct interpretation of its own findings. For example, there is a frank acknowledgement that the development could result in 'high adverse changes to the landscape character' [LVIA. Para 6.4]. It is also acknowledged that the landscape at this location is 'highly susceptible to change due to its hilltop location' [LVIA, para 4.11].

24. Notwithstanding the wide-ranging open views across Somerset at this location from the hill-top site towards the Levels (as clearly demonstrated in the ZTV analysis in the LVIA), the value of the landscape around KM is claimed by the Applicant to be 'Low to Medium' on the basis that it consists of arable fields and that the site is not designated [LVIA. Para 4.11]. This arbitrary valuation drags down other scores.

25. There is no recognition anywhere in the LVIA of the obvious intrinsic beauty of the landscape at this location, which we noted on our site visit, with its far reaching views towards Luns Hill Wood and the Levels.

26. The harm to the setting of Kingweston wildflower Meadows SSSI below the site has not been referred to in the LVIA, and is a material consideration in planning terms. This is a locally and nationally highly valued landscape feature that at present sits in a tranquil remote setting, with no development in sight. Viewpoint 13 taken from PRoW L19/7 confirms that the development would intrude into views from the SSSI and its setting. The landscape setting of the SSSI would change from entirely rural/agricultural to become more suburbanised.

27. At present the two important village footpaths running through the site and passing close to it have an entirely rural character, affording only fleeting glimpses of a few mainly agricultural buildings on the eastern side.

28. There will be very substantial adverse effects on those using the two public footpaths passing through the site. We do not agree with the suggestion in the LVIA that the impacts on walkers will be 'neutral' due to architectural detailing of the buildings and the choice of landscaping plants. The reality is that, instead of a walk through an entirely rural landscape, walkers will be passing through a built up area, and their views of the wider landscape will be blocked by the buildings and the dense planting round the boundary. We consider that the inestimable mental health benefits to residents of these entirely rural and tranquil footpaths so close to the village are a further material consideration to weigh in the planning balance.

29. The judgement of the LVIA that users of the public footpaths and rural lanes are '*all judged to be medium sensitivity*' [LVIA, para 5.10] is at odds with numerous appeal decisions in which walkers are acknowledged as having the highest sensitivity to change.

30. We consider that the proposed large scale housing, car parking spaces, roads, paths, gardens and infrastructure, located on a prominent skyline, and the removal of locally highly valued elements of the landscape, will cause significant adverse changes to the primary characteristics of an open rural agricultural nature and tranquillity on this side of the village.

31. The Applicant has proposed a dense landscaping scheme to conceal the development from view, particularly outside the winter months. However, this would not alter the intrinsic change of landscape character that has taken place. The large scale housing estate and hard surfacing intruding into the countryside and altering

views over a large area would detract from the rural character and appearance of the village edge at this location, and the natural environment and beauty of the area.

32. We do not agree with the Applicant's argument that dense screening round the housing estate will serve to neutralise all the impacts; if this were the case, housing estates could be constructed anywhere in the countryside, detracting cumulatively from and ultimately seriously detracting from rural and countryside character over a large area.

The delivery of housing in Keinton Mandeville

33. The Planning Statement claims that the document '*The Potential for Rural Settlements to be designated Villages*' (SSDC publication Nov 2018) '*does not set a definitive cap on growth*' [PS, para 9.10]. This is a misinterpretation of the SSDC appraisal. The text states that it is not the role of the appraisal to set firm capacities at Rural Settlements as this will depend on the eventual preferred development distribution option in the Local Plan Review. As noted above, the Local Plan Review Preferred Options clearly envisages '*small scale growth*' in KM of 3 dwellings a year for the plan period.

34. We consider that the Applicant's Planning Statement gives an incomplete and inaccurate picture of recent development in KM and relies primarily on the incorrect claim that potential growth in KM is unlimited to justify the proposal *.

35. The 2011 Census in 2011 identified 417 homes in KM. *The Potential for Rural Settlements to be designated Villages* (SSDC publication, 2018) stated that there were 27 completions and 53 commitments between 2006-2018 in KM but does not state how many of those post-dated the 2011 Census. The great majority of planning applications post the 2011 Census were approved between 2016-2020.

36. We attach an Appendix giving a full picture of development in Keinton Mandeville during the first six years of the Local Plan Review period 2016-2036. It shows that **92 planning permissions were approved between 2016-present in Keinton Mandeville. Of these, 76 have been completed and 16 are currently under construction or awaiting construction.** It also shows that, excluding the present proposal for 120 houses, there are currently 5 planning applications submitted and awaiting decision for a further 52 houses.

37. **This means that since the start of the LPR plan period 2016-2036 the village has grown by 18% based on completions alone, and by 22% based on the total of completions and commitments. If the 5 applications currently awaiting determination for a further 52 houses were to be approved, this would mean that the village would have increased by 144 completions and commitments, or 34%, since 2016. [92 planning permissions approved plus a further 52 to be approved = 144, as a percentage of 417 homes in 2011=34%].**

38. **If approval were then also to be given to this present proposal for 120 houses, growth in Keinton Mandeville since 2016 would increase to 63%, which would exceed growth in any settlement in South Somerset - or in the whole County - by a very significantly wide margin. [92+52+ 120 = 264 houses as a percentage of 417 houses in Census 2011= 63% growth since 2016]. There is no policy basis for growth remotely on this scale in a Rural Settlement, to which countryside protection policies apply.**

39. The table in the Appendix shows that since the start of the LPR plan period 2016-2036 KM has already delivered 76 completions and a further 16 under construction= 92 houses, compared to the 60 dwellings envisaged in the LPR proposals for the entire plan period to 2036. There are planning applications for a further 52 houses currently awaiting determination.

40. Keinton Mandeville has already more than fulfilled housing targets envisaged in the LPR for the entire plan period to 2036, therefore this application for a large scale 120 houses development in open countryside is entirely inappropriate and unjustified as it fails to meet identified need. Windfalls will continue to come forward as they have done in the past, and it would be more appropriate for identified future affordable housing need to be met via a rural exception site to be selected in close consultation and after robust engagement with the Parish Council .

The 5 Year Housing Land Supply

41. The Applicant states that Local Plan Policy SS2- which is designed to protect villages from speculative development of this kind- should ' not be afforded full weight ' as the district does not have a five year housing land supply. We consider that the adverse impacts significantly and demonstrably outweigh the benefits of the scheme, when assessed against the policies in the National Planning Policy Framework taken as a whole, for the reasons set out in this letter, and thus the presumption in favour of development does not apply.

42. The current SSDC 5 year HLS is understood to be 4.4 years, but no update has been published recently. However, this case is not normal in 5 year HLS terms. It is relevant that in the recent Ansford/ Castle Cary appeal for 200 houses [APP/R3325/W/20/3259668 -decision dated 17 May 2022], the Appellant did not dispute that the number of sites that would be released into the housing land supply through the Entrade phosphate credit programme solution (that is supported by Natural England and HM Government) would be 878 already consented units in Phase 1, which was sufficient on the Council's calculation to completely make up the shortfall and deliver a five year housing land supply.

43. It is therefore not the case, as claimed by the Applicant, that more consents are needed and that this can be promoted through reducing the weight to policies that protect Rural Settlements from large scale speculative development, such as this proposal represents.

Summary of CPRE Somerset's objection

- The large scale of this proposal is not appropriate for a village and does not conform with Local Plan SS1 - Settlement Strategy.
- The proposed large scale in depth suburban style cul-de-sac development is alien to the predominantly linear pattern of development along the main streets of the village.
- Rural Settlements such as Keinton Mandeville are considered part of the open countryside to which countryside protection policies apply [Local Plan Policy SS1-Settlement Strategy].
- The Applicant's own Landscape and Visual Impact Appraisal (LVIA) confirms that the development intrudes a long way into the open countryside and that it does not comply with Local Plan Policy SS2 which is designed to protect villages from speculative development.
- The site is on a hilltop location visible from miles around. The proposed development would change the rural and agricultural character of the landscape. At a more localised level it would be detrimental to the main characteristics of the site , which are: its openness; it has a rural agricultural character; it is a quiet place to walk close to the village on long stretches of public footpath through the site; it is a place to enjoy the wide-ranging views to the west from public footpaths; it is a place of tranquillity; and it is a place of transition between the built-up area and the countryside.

- 3 plots of land out of 4 on this site were assessed as unsuitable for development in the 2021 HELAA. Acquisition of control of all 4 blocks by one party does not by itself make them suitable for development for a very large housing estate, as claimed by the applicant, as the resultant large scale of development is not commensurate with the scale of the settlement, and the landscape and visual effects would be unacceptable.
- The proposals in the Local Plan Review would not remotely justify development on this scale.
- We do not agree with the Applicant's judgement that because the landscape is not designated, it therefore has 'low' value.
- There is no recognition in the submitted LVIA of the intrinsic beauty of the landscape and its wide ranging views at this location.
- The entirely rural and tranquil setting of the wildflower SSSI meadow below the site will be impacted. Harm to the setting of SSSIs is a material consideration in planning terms. The buildings would be visible, especially in winter, and would change the landscape from entirely rural/agricultural to more suburbanised one.
- Users of the public footpaths are judged to be of 'medium sensitivity' by the Applicant but this does not accord with numerous appeal decisions which assess walkers as having high sensitivity.
- This side of the village has the public footpaths and the superb views across the wider landscape, making it especially important to have special regard for them.
- We do not agree that concealment of the large scale housing estate behind dense planting will neutralise the impacts or conceal the intrinsic change to the character of the wider landscape.
- The Applicant's primary argument that development on this scale is acceptable whenever it is concealed behind dense landscaping would, carried to its logical conclusion, result in widespread harm to the countryside.
- The screening, development, and infrastructure will block superb long range views from the well-used long public footpaths through the site and instead of walking in a quiet entirely rural location, walkers on these footpaths through the site will henceforth walk through a built-up area.
- The Applicant has given an incomplete/inaccurate account of development in the village since the last Census [in the Planning Statement]. The facts are that planning permissions for 92 houses have been granted in KM since 2016, of which 76 have been completed and 16 are under construction. The village has therefore already grown 22% since the start of the new plan period envisaged in the LPR consultation.
- There are 5 undetermined planning applications currently in the pipeline for a further 52 houses. If approved, they would take growth since the 2011 census to 34%. If the present application for 120 houses were then also to be approved, growth since 2011 in KM would be **63%**, which would largely exceed the growth of any settlement anywhere in Somerset. [$92 + 52 + 120 = 264$ houses. As a percentage of baseline 2011 Census size of 417 houses in KM, 264 houses would represent 63% growth]. There is no policy provision justifying this scale of growth in a South Somerset Rural Settlement/Village, to which countryside protection policies apply.

- The planning application relies on the lack of a district-wide five year housing land supply to justify this scheme but the shortfall resulting from the current 4.4 years supply will be made up when already consented development is released by the imminent solution of the phosphates issue impacting the Levels.
- We consider that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits of the scheme.

Yours sincerely

Fletcher Robinson MSc Planning
Trustee and Planner
CPRE Somerset

Footnote and Appendix

* The Applicant's submitted Planning Statement on p.17 sets out a Table 1 entitled 'Live applications and permissions for new dwellings within Keinton Mandeville'. It is not stated which are completions, which are commitments (approvals), what the dates were of the approvals, and which are planning applications awaiting decision. If the Applicant's Table 1 is intended to give an overview of development in KM since the 2011 Census, it cannot be relied upon. For example, it omits the following 30 dwellings which have been approved between 2016-present:

- > 2 houses -Manor Park-approved July 2016- currently under construction
- > 1 house - Seraglio, Castle Street- approved Sept 2017- completed
- > 6 houses -Land N. of the Light house- approved Dec 2017- completed
- > 10 houses -Lakeview quarry-approved Aug 2018-completed
- > 2 houses-Land N. Of the Lighthouse-approved Nov 2018
- > 4 houses-Old Coach House , Coombe Hill- approved April 2019- completed
- > 1 house-Church St-approved July 2019-under construction
- > 1 house-adjacent to Cottons house- approved November 2019- under construction
- > 3 houses-Lakeview Quarry- approved Jan 2020-completed.

Total no. of houses omitted by the Applicant from its Planning Statement Table 1 of recent development in KM: 30

In addition, the Applicant has omitted 2 houses (Chestnuts, Queen St) from its list of planning applications currently awaiting decision.

Appendix- Table showing development in Keinton Mandeville since 2016 [see next page].

Keinton Mandeville New Housing Developments 2016 - Present

Residential planning permissions since 2016 (i.e. the first 6 years of the SSDC 2016 – 2036 local plan – unadopted (from SSDC planning applications website). A total of 144 new houses either built, given or awaiting permission in 6 years.

Planning Applications Approved 2016 – Present		
Yellow highlight = under construction or awaiting construction		
Number of Houses	Location	Date Approved
42	Lakeview Quarry	April 2016
2	Manor Park	July 2016
1	Seraglio, Castle Street	September 2017
6	Land North of the Light House, Barton Road	December 2017
6	Land north of Old Coach House, Coombe Hill	May 2018
10	Lakeview Quarry	August 2018
2	Land north of Light House	November 2018
5	Sycamore Farm	March 2019
4	Old Coach House, Coombe Hill	April 2019
1	Church Street	July 2019
7	Land behind Cottons House	September 2019
2	Land behind Splinters	October 2019
1	Adjacent to Cottons House	November 2019
3	Lakeview Quarry	January 2020
Total 92		
Planning Applications Submitted, Awaiting Decision		
Number of Houses	Location	Date Submitted
9	Former orchard, Queen Street	August 2019
2	Chestnuts, Queen Street	December 2019
30	Behind Queen Street / Church Street	December 2020
2	Orchard View, Chistles Lane	October 2020
9	Old Coach House, Combe Hill	February 2021
Total 52		