

Appeal Decision

Site visit made on 11 April 2016

by JP Roberts BSc(Hons), LLB(Hons), MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 10 May 2016

Appeal Ref: APP/V3310/W/16/3143107

Gardners Business Units, Brent Road, Cossington, Bridgwater TA7 8LF

- 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 Russ Turner-Robertson against the decision of Sedgemoor District Council.
 - The application Ref 22/15/00010, dated 20 November 2015, was refused by notice dated 4 January 2016.
 - The development proposed is described as retention of use of land to site a mobile home for residential use.
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Decision

1. The appeal is dismissed.

Procedural matter

2. As retention is not an act of development I shall treat the proposal as one made under Section 73 of the Act for development already carried out, being the use of land to site a mobile home for residential use.

Main Issue

3. Whether the site is in a suitable location for residential development having regard to policies in the development plan and the National Planning Policy Framework (the Framework).

Reasons

4. The mobile home is located at one end of a compound used mainly for the storage of caravans and other vehicles, part of a collection of commercial uses which includes a car hire business and a Wessex Water depot. The site is located just outside the village of Cossington, and somewhat over 150m from the Cossington Development Boundary as set out in the Core Strategy (CS) adopted in 2011.
 5. CS Policy S 1 sets out the spatial strategy for the district, identifying Cossington as one of "Other Sustainable Settlements" (OSS), where there will be potential for limited growth, mainly through appropriate infill opportunities within development boundaries. It is clear that the policy sees OSS playing only a minor role in housing delivery, as the 11 OSS are identified as contributing only 315 houses in total during the plan period, averaging at about 1.4 dwellings per settlement per year. Whilst the 315 figure is not to be
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- regarded as a maximum, it nevertheless illustrates that villages like Cossington are not expected to yield many new dwellings in the plan period.
6. At first blush, it seems an attractive argument to say that the site lies so close to the development boundary that it would be no less sustainable than a site within the boundary. However, the CS acknowledges that some settlements defined as OSS have few or no services, as is the case with Cossington, and thus despite their being classified as "other sustainable settlements", their sustainability credentials are limited, and this explains why the settlement boundaries have been drawn in a restrictive manner, and why few houses are expected to come forward in such settlements.
 7. Moreover, to extend the permissive approach that applies within the settlement boundary, where opportunities for new housing are very limited, to brownfield sites outside the boundary would run counter to the strategy which seeks to constrain development in such locations, and would set a precedent for sites both immediately adjacent the appeal site but also elsewhere in the district.
 8. Outside of the defined settlements, CS Policies P 6 and the S 1 strategy say that development will be strictly controlled to that which benefits the local economy, maintains or enhances the environment and does not increase the need to travel. I consider that these policies are broadly consistent with the approach taken in the National Planning Policy Framework (the Framework), which aims to ensure that development is accessible to local services and to reduce emissions.
 9. There is no suggestion that the proposal has any tangible benefit to the local economy. The siting of the mobile home amidst stored caravans has no material impact on the appearance of the site, and thus it would maintain the environment.
 10. In respect of travel, the site is fairly remote from services and facilities. There are no shops in Cossington, the nearest being the shop/Post Office in Windmill Crescent, Woolavington, about 1km away on foot, and slightly more by road. The shop is reached by Brent Road which lacks a footpath and is unlit, and the combination of distance and poor walking conditions is likely to discourage either walking or cycling to and from the site. Even though there is a bus stop just outside the site, which serves Wells and Bridgwater with a fairly regular timetable, and a nearby cycle route (which in any event does not lead to Cossington), I nevertheless consider that it is likely that occupiers will be heavily dependent on the use of private vehicles to reach most of the usual travel destinations, such as employment, shops, services, entertainment and recreation. Thus, whilst the site may not be physically isolated in the countryside, it is nevertheless isolated from the shops and services necessary for day to day existence.
 11. The appellant works on the site, and thus he would not need to travel to his employment, but this would not be the case for any partner, dependants or future occupiers. Even if a personal permission were to be granted, I consider that trips for shopping, health, recreation, leisure and other social activities, together with visits and deliveries would be likely to result in a net increase in the need to travel, and thus I consider that the proposal would conflict with the policies which seek to constrain residential development in locations such as this.

12. Whilst the proposal would involve the use of a brownfield site, the reuse of which is encouraged in the Framework, the proposal would not meet the criteria for the re-use of such sites set out in Policy S 1 and in any event the benefit of such re-use is outweighed by the serious shortcomings of the site that I have identified above.
13. I have had regard to the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 which allow the change of use of buildings in B8 use to residential use in certain circumstances. There is no dispute that the mobile home in this case is not a building, and does not benefit from such rights. The permitted development class is a limited one, and I consider that it would not be appropriate to extend its permissive approach to circumstances which have not been embraced by the Order, and therefore I attach little weight to this.
14. I consider that it would not be appropriate to grant permission on a temporary basis because the proposal is contrary to the development plan, and it is not expected that the planning circumstances will have changed at the end of a temporary period. Thus the imposition of such a condition would be contrary to the advice in the Planning Practice Guidance.
15. I therefore conclude on the main issue that the site is not in a suitable location for residential development having regard to policies in the development plan and the Framework, and that it would conflict with the policies I have referred to, along with CS Policy D 5, which reinforces the approach taken in Policies S 1 and P 6.

Other matters

16. I have had regard to the support for the proposal offered by a local resident, but this does not alter my conclusion.

Conclusion

17. For the reasons given above, I conclude that the proposal would conflict with the development plan as a whole, and should be dismissed.

JP Roberts

INSPECTOR