

# Appeal Decision

Site visit made on 25 April 2017

**by K Taylor BSc (Hons) PGDip MRTPI**

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

**Decision date: 11<sup>th</sup> May 2017.**

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**Appeal Ref: APP/V3310/W/17/3169344**

**The Bungalow, Coxhill, North Newton, Somerset TA7 0BT**

- 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 Fergus Crump against the decision of Sedgemoor District Council.
  - The application Ref 37/16/00070 DRT, dated 19 September 2016, was refused by notice dated 20 December 2016.
  - The development proposed is described as "(change of use) to use existing 2.9 metre x 1.85m block built shed, which is situated 18 metres from the bungalow for a dog grooming business; there is ample off road parking".
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## Decision

1. The appeal is dismissed.

## Main Issue

2. The main issue is whether the building and its location would be appropriate for the proposed business in light of planning policies for rural areas.

## Reasons

3. The appeal relates to a small, block built, building located within the garden of The Bungalow, a residential property. It is accessed via the driveway for the house. The site lies some distance from the main built up part of North Newton and is remote from any larger settlement. There did not appear to be any public transport links close to the appeal site.
  4. The Council's spatial strategy for development is set out in Policy S1 of the Sedgemoor Core Strategy 2006-27, adopted September 2011 (the CS). It seeks to focus development, including employment uses, in the identified settlements. In part, this strategy is to offer the greatest opportunity to reduce the need to travel. North Newton is not an identified settlement.
  5. Policy P6 of the CS sets out that development, outside of the identified settlements, is to be strictly controlled but will be supported where other policies, exceptionally, provide for development in the countryside. One such policy is Policy D11 of the CS; this allows for the conversion or re-use of appropriate existing buildings that encourage rural enterprise and provide new employment space. Policy D11 does not provide any criteria to define whether a building is appropriate for reuse; therefore it must be a matter of judgement based on the facts of the case.
  6. The appeal building is located within the garden, close to the existing dwelling, with no significant boundaries or other features to separate it from the house or the remainder of the garden. It has no separate access and it is of a very modest scale. It has the function and form of a garden building and it could not be reasonably severed from its association with the house.
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7. The nature of the business will require owners to drop off and pick up their dogs at the beginning and end of each appointment. There are no realistic opportunities for public transport to be utilised. Customers would therefore be reliant on private vehicles to access the business. When taken together with the intimate association with the main dwelling, these factors lead me to conclude that this is not an appropriate building to be reused for an economic purpose.
8. The proposal therefore does not meet the exception in Policy D11 for development in the countryside. There is some support for economic development in rural areas, within the CS. However, for the above reasons, the building and its location are not appropriate for the proposed business use, and would increase the need to travel. The development would conflict with aims of Policies S1, D11, and P6 of the CS which seek to focus development in the identified settlements and strictly control development elsewhere so as to minimise the need to travel.

#### *Other matters*

9. The driveway to the front of the dwelling provides parking and there is a double garage available. The Council only make general reference to parking requirements, but have not provided any details of a policy that sets out parking standards. To my mind, in order for the business and the dwelling to coexist appropriately, separate parking for each is necessary. From my observations on site, with only minor alterations, the parking area could adequately provide for this. However the shared access and the location of the parking for the business, close to the front of the house, adds to my finding that the building is not appropriate to be converted to a business use due to its integral association with the dwelling.
10. The proximity to popular dog walking routes and other canine related and canine friendly businesses would not outweigh the harm I have identified. These are not so prevalent in the area that linked trips are likely to occur to such a degree so as to minimise the need to travel. Although the building would not be externally altered, this factor is neutral and, in itself, does not weigh in favour of the development.
11. The appellant has referred to several documents in his grounds of appeal, I have not been provided with these and I therefore cannot give these any weight. In any event, I have determined the appeal on its own planning merits having regard to the development plan policies.

#### **Conclusion**

12. The proposal would bring about some economic benefits. There is also some evidence that interest has been expressed in the proposed business, and it appears a similar business has, in the past, operated nearby. The scale of the proposal is such that these benefits would be modest and so I give these factors only limited weight and this does not outweigh the harm I have identified. The adverse effects are sufficient to mean that the proposal would conflict with the development plan when taken as a whole.
13. For the above reasons, I conclude the appeal should be dismissed.

*K Taylor*  
INSPECTOR