
Appeal Decision

Site visit made on 9 September 2019

by Les Greenwood MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 September 2019

Appeal Ref: APP/Q3305/W/19/3224900

The Close, Prestleigh Road, Evercreech, Shepton Mallet BA4 6LW

- 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 Daniel Bridges against the decision of Mendip District Council.
 - The application Ref 2017/3276/FUL, dated 12 December 2017, was refused by notice dated 26 September 2018.
 - The development proposed is a new build house.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The National Planning Policy Framework (the Framework) was amended after the Council refused the appeal application. I have taken the amended Framework into account as a material planning consideration.

Main issues

3. The main issues are:
 - i) whether new housing development is acceptable in this location, with regard to adopted development plan policies for the proportionate growth of rural settlements; and
 - ii) the impact of the proposal on the character and appearance of the local area.

Reasons

Proportionate growth of rural settlements

4. The Close is a detached dormer bungalow with a very long rear garden, located on the edge of the large village of Evercreech with grass paddocks to either side and a new housing development to the rear. The proposal is to build a new house in the back garden area, with a shared access to Prestleigh Road. Although the existing bungalow is within the village's development limit, as designated by the Mendip Local Plan 2006-2029 Part 1: Strategies and Policies (LP), the appeal site is outside of the adopted boundary.

5. LP Core Policy 1 aims to direct the majority of development to 5 main settlements. Evercreech is in the next tier of settlements, Primary Villages, where the policy provides for new development tailored to meet local needs. LP Core Policy 2 specifically allows for infilling, conversions and redevelopments within the development limits of these villages, aiming to meet rural housing needs while safeguarding the countryside. Core Policy 1 seeks to strictly control development outside the development limits, which it says will only be permitted where the development would benefit economic activity or extend the range of facilities available to local communities.
6. The appellant argues that the development limits boundary was drawn in the wrong place, given that the appeal site was not recognised to be part of The Close's garden at that time. The development limits line should not, however, necessarily follow the line of properties' rear gardens. In this case the appeal site relates visually to the paddocks to either side as part of an expansive, largely open village edge. In this way it also forms part of a visual break between the dwellings fronting Prestleigh Road and the new housing development further to the rear. I am therefore satisfied that the appeal site is outside of the built form of the village as well as the adopted development limit.
7. I note that the development limits line is being reviewed as part of a new draft development plan document. The Council does not propose to include the appeal site within that boundary. I give this emerging policy limited weight in any case, as it is not clear what the final adopted boundary will be.
8. I recognise that the site is reasonably located in respect of access to village services and facilities. Nevertheless, the economic and social benefits of the proposal - in terms of construction work, financial benefits to the Council and support for local services - would be relatively limited and no strong local need has been identified. I conclude that the proposal would conflict with the housing distribution strategy set out in LP Core Policy 1 and Core Policy 2, to provide for proportionate growth in rural settlements. Although the site is not isolated in the terms of Framework paragraph 79, I find no significant conflict between these policies and the Framework's promotion of sustainable development in rural areas.

Character and appearance

9. The appeal site is readily visible from Prestleigh Road and nearby properties, appearing as part of the green, relatively open landscape around the edge of the village. This landscape is not of high quality but does contribute to the rural character and setting of the village. Although the new housing development to the rear would appear in the background of some of these views, the proposal would nevertheless extend and consolidate development closer to Prestleigh Road, fully enclosing a paddock and causing it to become isolated from the rest of the countryside. It would therefore harmfully urbanise this rural fringe of the village.
10. I conclude that the proposal would unacceptably harm the character and appearance of the local area. It therefore conflicts with the aims of LP Policies DP1, DP4 and DP7, to secure high quality design that enhances local distinctiveness while protecting the quality of local landscapes. These policies

align with the Framework's aim to ensure that development is sympathetic to local character.

Other matters

11. The proposal would make a minor contribution towards meeting the general need for new housing, making effective use of a piece of land that is considered to be previously developed land (as defined by the Framework). This weighs in favour of the proposal. I note that an outbuilding or outbuildings might potentially be built here as permitted development. No such plans have been submitted, however, and it seems unlikely that permitted development outbuildings would be of a similar scale and impact as the appeal proposal. Having considered all matters raised, I find nothing to override my conclusions in respect of the main issues.

Conclusion

12. For the reasons set out above, I conclude that the appeal should not succeed.

Les Greenwood

INSPECTOR