The Planning Inspectorate

Appeal Decision

Site visit made on 27 January 2020

by Adrian Hunter BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th February 2020

Appeal Ref: APP/V3310/W/19/3240814
Pathe Farm Cottage, Pathe Road, Othery, Somerset, TA7 0JF

- 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 Mrs E Lockyer against the decision of Sedgemoor District Council.
- The application Ref 38/19/00004, dated 12 April 2019, was refused by notice dated 28 May 2019.
- The development proposed is for a detached 'self-build' house and associated garden and parking on site of former farm building.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is whether the proposed development would provide a suitable location for housing, having regard to the accessibility of services and facilities and the character and appearance of the area.

Reasons

3. The appeal site comprises an open, grassed area, which is raised slightly above the level of the Pathe Road. There is some evidence of previous agricultural buildings that once occupied the site, however these are now derelict. Surrounding the site on three sides, are open fields. To the south on the opposite side of Pathe Road is the nearest development, which includes an open farmyard, associated outbuildings and farmhouses. To the east is further sporadic development, focussed around existing and former farmyards. Beyond these buildings are open fields. The surrounding area is very much rural in character, where agricultural land uses and practices are the pre-dominant land use.

4. The proposal would introduce a single storey, three-bedroom property onto the site. The elevations would be constructed from natural stone, timber glass and timber cladding (larch), with a slate roof. Vehicular access to the appeal site would utilise the two existing entrances to the field with one for entry and one for exit.

5. Despite being set back from the road and single storey in height, due to the change in levels across the appeal site, the overall bulk of the development would be visible, particularly when viewed from Pathe Road. The development would introduce an urban feature and associated residential paraphernalia into

the open countryside. Whilst this impact would be reasonably localised, the introduction a new dwelling into the open countryside, would unacceptably diminish the character and appearance of the area and consequently harm the character and appearance of the countryside.

6. The proposed dwelling would be in a location, set some distance from any established settlement. There is no substantial development around the appeal site and, whilst there is some evidence of the previous development, there are no distinguishable buildings on the site. The site is bounded by open fields and agricultural uses with no substantial built development to either side. Whilst there are some residential properties in the vicinity of the appeal site, none of these properties share a common boundary with the appeal site. As a consequence, the appeal site is not considered to constitute an infill plot

7. The nearest settlement to the appeal site is the village of Othery. Within Othery there are a number of services and facilities, including a primary school, pub and village hall. Access from the appeal site to Othery is along an unlit rural road. The road has no footpaths, with limited grass verges. The appeal site is therefore in a location that is unlikely to encourage the use of alternative modes of transport. It is therefore likely that future residents would need to rely upon private vehicles to access these services.

8. I have therefore concluded that the proposed development represents an unsustainable form of development and would be harmful to the character and appearance of the countryside and, in this respect, is contrary to Policies S2 (Spatial Development for Sedgemoor), CO1 (Countryside) and CO2 (Infill Housing in the Countryside) of the Adopted Sedgemoor Local Plan 2011-2032 (2019).

Other Matters

9. I note that the description of the proposed development identifies that the proposal is for a self-build property. Information contained within the appeal submission confirms that the appellants are on the Council's Self Build Register. Policy D9 (Self build and custom build homes) provides support for the delivery of self build homes, subject to satisfying criteria, including the need to be well related to identified settlements. Whilst this policy supports the provision of self-build proposals, they are required to accord with Policy CO2. It therefore follows from my conclusions on the main issue, that the self-build nature of the appeal proposal does not outweigh the conflict with the development plan and the harm I have identified.

10. The proposed development would provide social benefits in terms of a new house. It would also help to support local services and facilities and provide investment in terms of its construction, notwithstanding the reliance on the private motor car. I have considered the issue of the provision of a new dwelling, however given the modest scale of the development proposed, this carries only limited weight relative to the harm and the associated development plan policy conflict identified above

11. A number of benefits of the proposal have been identified including measures to secure biodiversity gains and the reuse of existing structures on the site. None of the other matters raised alter or outweigh my overall conclusion on the main issues.

Conclusion

12. I conclude that for the above reasons, and having taken into account all other matters raised, the appeal should be dismissed.

Adrian Hunter

INSPECTOR