
Appeal Decision

Site visit made on 20 December 2021

by M Bale BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 January 2022

Appeal Ref: APP/V3310/W/21/3281819

Land on the west side of Stoughton Road, West Stoughton, Wedmore, Somerset BS28 4ES

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr and Mrs P Nash against the decision of Sedgemoor District Council.
 - The application Ref 50/20/00112, dated 7 December 2020, was refused by notice dated 2 March 2021.
 - The development proposed is the erection of two, self-build dwellings with associated access and landscaping.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal relates to an application for outline planning permission. Approval is sought for access at this stage, in connection with which the Council refused permission due to concerns about highway safety. However, during the appeal, the Council has confirmed that that matter has been addressed by the appellants' submissions and I have no reason to disagree.

Main Issue

3. The main issue is whether the site is an appropriate location for the development, with regard to planning policies concerning the location of rural housing.

Reasons

4. The development plan identifies that the rural area is generally not an appropriate location for development. Policies S2 and CO1 of the Sedgemoor Local Plan 2019 (LP) set out a spatial strategy to focus new development at identified settlements. Outside settlements, development proposals are only permitted where they accord with specific development plan policies, or there is a strict need for them to be located in the countryside.
5. There is provision under LP Policy CO2 for infill housing in the countryside. The Policy permits some development at small villages or hamlets that have a clearly defined nucleus of existing dwellings.
6. West Stoughton appears to have grown around a collection of individual farmsteads. This has created a generally dispersed settlement pattern across a relatively wide area with many large gaps. However, an area around the

adjoining Willow Farm, broadly to the south of the appeal site, contains a more concentrated cluster of dwellings which form an identifiable nucleus. As such, West Stoughton could support some development under Policy CO2, subject to meeting all that policy's detailed criteria.

7. One criterion of Policy CO2 is that development amounts to infilling of the existing main built up area of the settlement. The site is not within this cluster of buildings around the nucleus. Rather it lies adjacent, between the cluster and an outlying property, Thornycroft, that is characteristic of the more sporadic development across the remainder of the settlement. Even with the development, there would remain a discernible gap to Thornycroft, so the proposal cannot be deemed to infill the main built up area, as required by the Policy.
8. I note that in some other situations, the Council has deemed the requirements of Policy CO2 to be met where development has amounted to rounding off, as described in the Self-Build and Custom Homes Supplementary Planning Document 2021. Like an example at Mill Lane, Wedmore, the appeal site lies on the opposite side of the road to other buildings. However, unlike the clear linear form adjoining the site at Mill Lane, the current case is adjacent to a cluster and wider settlement with a less coherent form. As such, there is no clear logical extent of the settlement, the proposal does not consolidate an existing settlement pattern, and the sites are not directly comparable.
9. Nor does the site compare to another example at Chilton Trinity. From the evidence, that settlement appears to have a definitive cluster of buildings around a church that the example site would relate to. While that application site itself may not be an obvious gap in development, and a church or other focal point may not be prerequisite of a settlement under Policy CO2, I have already found that the current appeal site would not be within the main built up area.
10. Moreover, although the illustrated siting alongside the road would be characteristic of most housing at West Stoughton, it would not obviously complete or extend an established line of development such that it would be a continuation of established pattern. Even if I were to accept that Policy CO2 permitted rounding off, I, therefore, find that this proposal could not be described as such.
11. With regard to the above, I find that the proposal would not be infill within the main built up area of West Stoughton. There would be a resulting conflict with Policy CO2. In the absence of a specific need for the development to be located in the countryside, there is, by extension, a conflict with LP Policies S2 and CO1.
12. I have no reason to doubt that acceptably designed dwellings could be conceived at any reserved matters stage. Along with the retention of the majority of roadside boundary hedging, there would be no obvious harm to landscape character or conflict with LP Policies D2 or D19 that seek to promote high quality design that respects local characteristics and protect the landscape. This, however, is a neutral consideration and so my findings in respect of LP Policies S2, CO1 and CO2 result in a conflict with the development plan read as a whole.

13. The proposal would provide additional Self Build and Custom Housebuilding (SBCH). The National Planning Policy Framework gives support to SBCH in general as part of delivering a good mix of housing and delivering the homes that people need. It would help to meet the long term housing needs of the appellant's family, who have lived locally for some time.
14. There is dispute over whether the Council is meeting its duty under the SBCH Act 2015 to provide sufficient serviced plots to meet the number of entries on the register. I note that other Inspectors have found that SBCH needs should not be considered solely as part of general market housing needs and that the various benefits associated with its delivery are capable of outweighing harm.
15. One of the LP Policy CO2 criteria is that the proposal is for SBCH. In this way, the development plan provides clear enabling provisions for SBCH in appropriate locations. Even if insufficient plots were being provided, there is no substantive evidence that this is a consequence of an overly restrictive policy environment, or failure of the development plan to enable it.
16. Therefore, while acknowledging that the provision of SBCH plots is a legislative duty, even if I were to accept the appellant's position that insufficient serviced plots were being delivered, the benefits associated with the proposal would be insufficient to indicate a decision otherwise than in accordance with the development plan.

Conclusion

17. For the reasons given, I conclude that the appeal should be dismissed.

M Bale

INSPECTOR