



Appeal Decision

Site visit made on 25 April 2023

by **S Harrington MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 05 May 2023

Appeal Ref: APP/V3310/W/22/3313457

Highfield View, Mill Lane, Wedmore, Somerset BS28 4DW

- 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 Benjamin Jacobs against the decision of Sedgemoor District Council.
 - The application Ref 50/22/00052, dated 11 May 2022, was refused by notice dated 20 October 2022.
 - The development proposed is erection of a single self-build dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the location of the site is suitable for residential development, having regard to the local development strategy.

Reasons

3. The appeal site is located on agricultural land to the south of Mill Lane, and adjacent an existing dwelling to the west, and three further dwellings which are situated to the north of Mill Lane. This existing small grouping of dwellings is further separated from a larger cluster of dwellings to the west by open agricultural land. The appeal site is clearly observed from viewpoints from both Mill Lane, and the B3151 to the south.
4. Although the appeal site is adjacent to residential properties to the north and west, this grouping of dwellings is surrounded by fields and are distinctly and physically separate from the larger clusters of dwellings to the west and north, and as stated by the Council, approximately 510m from the settlement boundary of Wedmore beyond.
5. The appellants consider the proposal would constitute infill development, and have cited paragraph 5.196 of the Sedgemoor Local Plan 2011-2032 (LP) to support the proposal. This paragraph indicates that *where a nucleus is of a reasonable scale (typically at least 10 dwellings) modest infill development may have limited impacts and may offer some support for local services at the settlement or nearby villages*. Notwithstanding this supporting text, LP Policy CO2 requires, amongst other things, that the proposal *amounts to infilling of the existing main built up area of the settlement*.
6. The Sedgemoor District Council Self-Build and Custom Build Homes Supplementary Planning Document (Aug 2021) (SPD) provides further

guidance on infill housing in the countryside. The SPD clarifies that there is an expectation of an 'infill' site to be between existing built-up development, and this does not include any development on the opposite side of the road frontage, such as those to the north of the appeal site.

7. While I have noted the appellants comments in relation to the ordinary dictionary meaning of *reasonable* and *typically*, I find that the small number of dwellings adjacent the appeal site, noting associated outbuildings, is not of a sufficient size to provide a clearly defined nucleus. The degree of separation from those larger clusters of dwellings to the west and north, results in the grouping having the character of being dispersed dwellings within the countryside, as opposed to a hamlet or small village, or indeed, given the distance to the settlement boundary, part of Wedmore, despite historical connections as indicated by the appellants.
8. Furthermore, while the appellants contend otherwise, I find that due to the appeal site bordering open agricultural land to the east and south, the proposal would visually extend built form into the countryside when viewed from Mill Lane. Additionally, while the site is seen with the backdrop of dwellings on Mill Road when viewed from a number of gateways on the B3151, the proposal would appear more prominent in these views due to those existing dwellings being to the north side of Mill Road, with the proposal being clearly seen as extending built form into the countryside as opposed to an infill development.
9. A key objective of the National Planning Policy Framework (Framework) is to significantly boost the supply of housing, but when read as a whole the Framework does not suggest this should happen at the expense of other considerations.
10. The Framework also seeks to support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and promote sustainable development in rural area, locating housing where it will enhance or maintain the vitality of rural communities. Furthermore Paragraph 80 seeks to avoid isolated homes in the countryside unless one or more stated circumstances apply. LP policies CO2 and D9 are broadly in accordance with these objectives, and even if the appeal site were not considered to be isolated and acknowledging the proximity of the site to local services and facilities, the proposal would nevertheless extend built form into the countryside.
11. I acknowledge that the appellants have strong family connections to the area, and as the dwelling would be a self-build home, future occupiers would have a connection with the local community. Furthermore, there is also local support for the proposal, although a lack of objections is not a reason in itself to allow development that is unacceptable. Notwithstanding, I conclude that the appeal development would not be in a suitable location with regards the local development strategy. The proposal would conflict with LP policies S2, CO1, CO2, and D9. These policies seek amongst other things, to control development in rural areas, to maintain and enhance sustainable patterns of development, and to require that self-build schemes are well-related to a settlement.

Other Matters

12. My attention has been drawn to decisions on other planning applications within the area. While the appellants state that another permission has been granted that could set a precedent for the appeal proposal, the full details of the other applications are not before me. Moreover, the current proposal has its own circumstances and I have assessed the appeal on its own merits.
13. The Council have not raised any concerns that the proposal conflicts with any policies within the Wedmore Neighbourhood Plan (2019), and noting the Parish Council's support for the proposal, I see no reason to disagree.
14. I also note the appellants desire to live close to family members, and benefits that could follow for both the appellants and community. The proposal also provides benefits in terms of the contribution of a single dwelling towards housing supply and future residents would provide further economic benefits in terms of future spend within local businesses. Furthermore, I acknowledge the proposal includes design features resulting in a highly energy efficient dwelling and proposed native hedgerows and trees could provide improvements to biodiversity.
15. Notwithstanding, I find that the benefits of the proposed scheme would be limited in scope and scale. In my view, such matters either individually or in combination do not outweigh the identified harm and the associated development plan conflict described above, to which I attach significant weight.

Conclusion

16. For the reasons given above, I find that the proposal would conflict with the development plan, read as a whole. No material considerations, individually or cumulatively, indicate that a decision should be taken otherwise than in accordance with it. Therefore, the appeal is dismissed.

S Harrington

INSPECTOR