



Appeal Decision

Site visit made on 22 August 2024 by R Dickson BSc (Hons) MSc MRTPI

Decision by Ben Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st October 2024

Appeal Ref: APP/E3335/W/24/3344072

Billingsley, Bath Road, Oakhill, Shepton Mallet BA3 5AB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Simon Spence against the decision of Somerset Council.
 - The application Ref is 2021/2280/FUL.
 - The development proposed is for the erection of a detached holiday let.
-

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. Whether the proposed development would be in a suitable location having regard to the development plan and national policies.

Reasons for the Recommendation

4. The appeal site is accessed from Bath Road and is situated in a small hamlet with a collection of other houses. Both the Appellant and Council agree that the appeal site is outside of any defined settlement boundaries. There are no local services or facilities within the Hamlet.
5. In accordance with policy CP4 of the Mendip District Local Plan Part 1: Strategy and Policies (2014) (LP), any business to be established in a rural setting would need to be appropriately located. In this instance, the holiday let would be constrained by the limited transport options for future visitors. Bath Road is a fast moving and busy road without any pavements and is unlikely to be used by pedestrians because of this. Given that there are no local services or facilities within the hamlet, the lack of direct footpaths to the nearest village would limit the transport options for users of the holiday let. The appellant has identified that there are Public Right of Way footpaths near to the appeal site, however I have not been provided with evidence that these form a direct or convenient route to nearby villages with local services.
6. The hamlet is not served by a bus stop, which further enhances the reliance of the future occupants on a private car. LP Policy CP3 requires proposals for economic development to limit the growth in demand for private transport, and instead encourages sustainable transport modes. These policies are broadly

consistent with the National Planning Policy Framework (the Framework) that supports a prosperous rural economy and sustainable rural tourism and leisure developments which respect the rural character of the countryside.

7. The holiday let would be located in a hamlet. The proposed holiday let would not have access to sustainable transport links and this would encourage car use. This would be in conflict with the strategic policies of the LP, that supports proposals where transport to a site is capable by means other than the private car. The Framework recognises that some areas, not well served by public transport in rural locations, may be suitable for development that meets local business needs. However, the Framework also seeks to promote sustainable rural tourism. The site would not offer any real alternatives for visitors other than to use the private car and would not therefore meet this objective.
8. Accordingly, the proposed holiday let would conflict with Policies CP1, CP3, CP4 and CP9 of the LP, and as such the Framework, which collectively seek to ensure development proposals are located in suitable and sustainable locations having regard to the use of a private car.

Other Matters

9. There are other dwellings and holiday rentals within the hamlet which by virtue of proximity, have similar sustainability credentials. That being said, the presence of unsustainably located dwellings does not carry enough weight as to allow another in the hamlet.
10. It has been drawn to my attention that a similar scheme was granted in 2018. Nonetheless this has now expired and can no longer be implemented. The Council has explained that the revised Framework has raised new material considerations with respect to the suitable location of tourist accommodation with a rebalance of social and environmental objectives. I have not found such a stark change in national policy as identified by the Council. Although the approved scheme raises an issue of inconsistent decision making, this is a local matter and has had a limited bearing on the main issues of this appeal which I have considered on its own merits.

Conclusion and Recommendation

11. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

R Dickson

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

Ben Plenty

INSPECTOR