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## Appeal Decision

Site visit made on 24 November 2025

by **S Harrington MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 04 December 2025

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### Appeal Ref: APP/E3335/W/25/3373573

### Hollybank, 18 Five Bells, Williton TA23 0HZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
  - The appeal is made by Mr D Moxey against the decision of Somerset Council.
  - The application Ref is 3/39/24/011.
  - The development proposed is the erection of 1 No. dwelling.
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### Decision

1. The appeal is allowed and permission in principle is granted for residential development comprising a maximum of 1 dwelling at Hollybank, 18 Five Bells, Williton TA23 0HZ in accordance with the terms of the application, Ref 3/39/24/011.

### Preliminary Matters

2. Planning Practice Guidance (PPG) advises that permission in principle is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has 2 stages: the first stage (or 'permission in principle' stage) establishes whether a site is suitable in-principle, and the second 'technical details consent' stage (TDC) is when the detailed development proposals are assessed. This appeal relates to the first of these 2 stages.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent TDC application if permission in principle is granted.

### Main Issue

4. The main issue is whether the site is suitable for residential development, having regard to its location, the proposed land use, and the amount of development.

### Reasons

5. The appeal site is an area of garden to the rear of 'Hollybank' and within a grouping of dwellings collectively known as 'Five Bells'. Five Bells is located between the larger settlements of Watchet and Williton.
6. Policy SD1 of the West Somerset Local Plan 2032 (LP) supports a proactive approach when considering development to reflect the National Planning Policy Framework's (the Framework) presumption in favour of sustainable development. LP Policy SC1 sets out a settlement hierarchy and aims to steer new development to defined settlements, including Watchet and Williton. Although a grouping of

dwellings, Five Bells is not a defined settlement, and therefore for development plan purposes the appeal site is considered to be in the open countryside. In such locations LP Policy OC1 restricts development unless for specific prescribed exceptional circumstances. There is no evidence before me that any of LP Policy OC1's prescribed circumstances would apply to the appeal scheme.

7. Furthermore, in respect of access to services and facilities, LP Policy TR2 seeks to maximise modal transport choices by ensuring that development is located to maximise the attractiveness of modes of transport other than the private car. Both Watchet and Williton feature a range of facilities, although are beyond the guideline comfortable walking distance of 800m as is quoted within the Manual for Streets (MfS). However, this is a guideline distance and MfS also states that this is not an upper limit.
8. Nevertheless, I observed that due to the lack of continuous footpaths, vehicle speeds and lack of streetlighting in places, the highway route to Watchet would be dangerous for pedestrian use. Furthermore, although public footpaths could provide alternative choices for pedestrians, due to lack of surfacing and lighting, these would be unattractive to future occupiers of the proposal, especially in hours of darkness or inclement weather. This would discourage future occupiers from accessing services and facilities at Watchet by foot, and also due to the fast moving and busy character of the highway, by bicycle.
9. However, services and facilities at Williton can be accessed safely via a continuous footpath. Whilst this route is via sloping topography and above the quoted 800m to the majority of facilities, I observed that a school at Williton is within comfortable walking distance, and the route would be reasonably attractive for cyclists to reach wider services and facilities.
10. Furthermore, my attention has been drawn to a bus stop to the west of the appeal site. This bus stop serves bus services with a regular timetable to larger settlements further afield and would provide a viable alternative mode of transport for future occupiers for some journeys.
11. The Framework recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in decision-making. Whilst some facilities could be reached by alternative modes of transport, future occupiers of the proposal would still be partially reliant on private vehicles to reach wider services and facilities.
12. To conclude, the appeal site is of a suitable size to accommodate the amount of development proposed. However, although private vehicle journeys are likely to be short, with alternative more sustainable modes of transport available, due to its location in the countryside, the site is not suitable for residential development, having regard to its location, the proposed land use, and the amount of development. The proposal would conflict with LP policies SC1, OC1, SD1 and TR2, the purposes of which I have previously outlined.

### **Planning Balance**

13. The Council are unable to demonstrate a five-year housing land supply of deliverable housing sites and have stated that their supply is 3.73 years. In these circumstances the presumption in favour of sustainable development outlined in Paragraph 11d)ii of the Framework is engaged.

14. The proposal would achieve an increase in housing supply in an area with an acknowledged lack of housing provision. As such the proposal would align with the Framework where it seeks to significantly boost the supply of housing. Furthermore, the Framework acknowledges that small-scale developments can make an important contribution to meeting the housing requirement and be built out quickly. Due to the scope and scale of the proposal, this benefit attracts modest weight.
15. Additionally, the proposal would provide other modest short term economic benefits from the construction of the proposal and further modest economic and social benefits from the future occupation of the dwellings and associated support of local services and facilities.
16. However, the proposal would conflict with LP policies SC1, OC1, SD1 and TR2 and the development plan as a whole. Moreover, although the Framework recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, it would also conflict with where it seeks to actively manage patterns of growth. Nevertheless, whilst there will be some reliance on private vehicles to reach services and facilities, given the available access to Williton, the relatively short distances to travel by private vehicle if needed, and public transport options available, I give this conflict modest weight.
17. In this instance, and at this 'permission in principle' stage, the adverse impacts of granting permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. As a result, the application of Paragraph 11d) of the Framework indicates that permission should be granted.

### **Conditions**

18. The PPG<sup>1</sup> indicates that it is not possible to impose conditions as the terms of any permission in principle must only include site location, type of development and amount.

### **Conclusion**

19. The proposal would conflict with the development plan, read as a whole. However, material considerations indicate that a decision should be made other than in accordance with it. Accordingly, the appeal is allowed.

*S Harrington*

INSPECTOR

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<sup>1</sup> Paragraph: 020 Reference ID: 58-020-20180615