



Appeal Decision

Site visit made on 6 November 2025

by **R J Redford MTCP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 29 December 2025

Appeal Ref: APP/E3335/W/25/3369553

Land at Friggle Street, Selwood, Frome BA11 5LP

- 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 Colin Day against the decision of Somerset Council.
 - The application Ref is 2024/2102/FUL.
 - The development proposed is Demolition of existing building, removal of caravan, and erection of 1no. detached self-build bungalow with access and landscaping including the change of use of agricultural land to domestic curtilage.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. For clarity, the appeal site has no postal address and is located to the south-west of the junction between Friggle Street, Mill Lane, and Shepherd's Lane¹ (hereon known as the junction).
3. The appellant has submitted a Transport Written Representation (TWR)² and a site visibility and tracking drawing³. These do not physically alter the proposed development but rather seek to clarify elements of that proposed. Accordingly, I am satisfied that consideration of these documents would not be prejudicial to other parties.

Main Issues

4. The main issues are whether the appeal site is a suitable location for the proposed development having regard to relevant policies relating to the countryside; and whether the proposal would affect highway safety and promote alternative transport methods.

Reasons

Location

5. The appeal site is screened from the roads by mature hedging. It is part of a larger field which stretches away from the junction and includes a series of single storey agricultural buildings beyond which are 2 large detached 2-storey houses and a cluster of larger barns and farm buildings. Although in different ownership this combination of buildings creates a cluster of development within a larger

¹ As identified in 'image 1' within the appellant's Planning Statement written by Rackham Planning and dated November 2024.

² reference 2501050-ACE-XX-00-RP-XX-0102 and dated July 2025

³ reference 2501050-ACE-XX-00-DR-XX-0502 and dated 18 July 2025

patchwork of fields. This is a form of development repeated throughout the area and represents the rural character that dominates this part of the countryside.

6. The appeal site is beyond any development limits as defined in the development plan, so would be considered in the open countryside. Policy CP1 of the Mendip District Local Plan (LP) specifies that development in the open countryside is strictly controlled but by exception maybe permitted if it complies with Policy CP4. In relation to residential development Policy CP4 makes provision for rural affordable housing, and dwellings where an essential functional need for a countryside has been shown. The proposal does not constitute either of these types of housing, so would not comply with LP Policy CP1 and CP4.
7. However, LP Policy DP24 allows for single plot exception sites for self and custom-build housing located on sites adjoining rural settlements along with several other criteria relating to eligibility and design. The Council has confirmed the appeal site is over 2.75km away from the nearest settlement so cannot be considered adjacent.
8. The appellant has not demonstrated they are in housing need, there are no suitable alternative homes within 5km of the proposed site and that they have a strong local connection, nor have they proposed a mechanism to ensure the dwelling remains affordable in perpetuity. It cannot therefore be concluded that the proposal would meet the eligibility criteria of LP Policy DP24.
9. In relation to design, it is compliant to the size limits set out in LP Policy DP24. And on review of the proposal and along with my observations on site, I am satisfied the modest wooden cabin design would harmonise with the local rural character. However, LP Policy DP24 requires all criteria to be met and not just those related to design.
10. Accordingly, the appeal site cannot be considered a suitable location for the proposed development as it would fail to comply with LP Policies CP1, CP4 and DP24.
11. The Council has referred to LP Policy CP2 in the reasons for refusal. This relates to housing site allocation and contributions to affordable housing. It does not relate to exception or windfall sites beyond development limits and so is not determinative in this appeal.

Highway safety

12. The appeal site has 2 gated accesses, but the proposal would only seek to use the Friggle Street access which is shared with the other buildings in the field. The TWR and associated drawing shows that safe access and egress for the site could be achieved through this, and that the number of vehicle movements related to the proposal would not be so great as to constitute an operational or safety issue for the highway network. There is nothing before me to conclude otherwise.
13. Nevertheless, although LP Policies DP9 and DP10 promote safe access for new development, they also require, amongst other things, the provision of safe and satisfactory alternative means of travel beyond that of the private car.
14. The appeal site is in the countryside and day-to-day services, and train station are within the nearest settlement some 2.75km away. There are no obvious or regular public transport options to get there, and the surrounding road network constitutes

narrow often single lane lanes. These are generally unlit with not footpaths, so would not provide a safe or convenient means of travel in inclement weather, poor light or for those less mobile. With nothing else before me, it has not been shown that other safe modes of transport would be available to future occupants of the proposal beyond the private car.

15. Consequently, although the proposal would not affect highway safety it does not promote alternative transport methods so would fail to comply with LP Policies D9 and D10.

Planning Balance

16. The Council cannot demonstrate a 5-year housing land supply, with the appellant confirming the former Mendip Council area only having a 3.3-year supply. As such it is necessary to apply paragraph 11 of the National Planning Policy Framework (the Framework).
17. The proposal would provide 1 dwelling reasonably quickly. That the Framework seeks to boost significantly the supply of housing and recognises the importance of small sites in meeting the housing requirement of the area. Along with contributing to the Council's 5-year housing land supply, the associated environmental enhancements and energy efficient design proposed, would attract limited weight based on the small scale of the proposal.
18. It is recognised that the proposal is identified as a self-build dwelling and that there is a need for such housing in the area. However, there is no mechanism before me to ensure that the proposal would be occupied by the appellant and therefore ensure it as a self-build dwelling. As such, this benefit would also only attract limited weight.
19. The appellant has drawn my attention to 3 appeals relating to self-build housing. However, in all 3 cases the self-build nature of the proposal was secured by section 106 obligation and that is not the case for this proposal.
20. It is also good practice to secure the self-build nature of the proposal by obligation to ensure the proposal is exempt from the Biodiversity Net Gain Regulations. Nevertheless, even if such an obligation were secured, as it would exempt the proposal from providing any biodiversity net gain, it could not be considered a benefit of the proposal.
21. The Council has not identified harm in relation to living conditions, ecology, trees, flood risk, water quality, and refuse collection, and within the main issues I have identified a lack of harm in relation to character and appearance and highway safety. However, a lack of harm, is by definition, neutral so cannot weigh for or against the proposal.
22. Paragraph 84 of the Framework does allow for isolated homes in the countryside. However, the proposal does not meet an essential need for rural workers; represent the optimal use of a heritage asset or provide enabling development to secure the future of such an asset; involve the subdivision of an existing building or be of a design of exceptional quality. The appellant considers the proposal would constitute development which would reuse redundant or disused buildings and enhance its immediate setting. However, although the proposal would remove some structures from the site and may improve its somewhat unkept nature, it

would constitute a new build home and not the reuse of an existing building. Therefore, the proposal would not comply with Paragraph 84.

23. The Framework seeks to direct development to sustainable locations, as such housing provision should not come at the cost of accessibility or be promoted in isolated locations beyond Paragraph 84. Accordingly, the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits.

Other Matters

24. Concerns were raised in relation to document access. This should be raised with the Council but does not alter the planning merits of this appeal.
25. Concerns raised in relation to future development on the remaining field, are also noted. However, I am bound to consider the proposal before me. Any future development would need to comply with the relevant planning legislation and policy.

Conclusion

26. For the reasons given above the appeal scheme would conflict with the development plan when read as a whole and there are no sufficiently weighted material considerations, including the Framework, which would indicate a decision otherwise. The appeal is, therefore, dismissed.

RJ Redford

INSPECTOR