



Appeal Decision

Site visit made on 3 March 2026

by **V Simpson BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27 March 2026

Appeal Ref: APP/E3335/W/25/3374289

Land at Dinhams, Hambridge and Westport, Langport TA10 0BH

- 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 D. Cload against the decision of Somerset Council.
 - The application Ref is 25/00045/FUL.
 - The development proposed is the erection of a dwelling following demolition of agricultural buildings (revised submission).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The evidence indicates that the appeal site is within the zone of influence of the Somerset Levels and Moors Ramsar site. Although concerns related to the potential effect of the development on the integrity of this habitat site were the basis for one of the application refusal reasons, the Council has subsequently confirmed that this concern has been overcome. I return to this matter later.
3. The appellant has submitted an amended 'Location Plan & Site Plan' in support of the appeal. This shows a proposal to dispose of foul water via mains drainage, rather than to a package treatment plant as shown on the application plans. However, the Government's relevant procedural guide for planning appeals¹ advises that the appeal process should not be used to evolve a scheme. That being the case, and on the basis that this change to the proposed method of foul water disposal would amount to a substantial difference to the scheme, the proposed development that was before the Council at the time the application was determined is considered in this appeal.

Main Issue

4. The main issue is whether the appeal site would be a suitable location for the proposed development, with particular regard to the local development strategy and accessibility to services and facilities.

Reasons

5. Policy SD1 of the Local Plan² provides a presumption in favour of sustainable development, and Policy SS1 of the same document contains a settlement strategy for development within the former South Somerset District Council area. It

¹ Procedural Guide: Planning appeals – England. For appeals relating to applications dated on or before 31 March 2026.

² South Somerset District Council – South Somerset Local Plan (2006-2008) – Adopted March 2015

seeks to direct most development to the larger settlements, which generally have more employment opportunities, services and facilities with sustainable travel potential, and, with certain exceptions, to apply national countryside protection policies to rural settlements.

6. The appeal site has direct access onto a section of the B3168 road (the road) that connects the clusters of development at the settlements of Hambridge and Westport. However, it is separated from both settlements by agricultural land and sporadic houses and buildings. As such, and while the site cannot reasonably be described as remote, it is understood to be outside of any settlement boundaries defined within the Development Plan. I also observed that it is outside of and removed from the 'built-up envelopes' of either of these settlements.
7. The speed limit along the road between these 2 settlements varies between 30 and 40mph, and albeit a snapshot in time, during my mid-morning weekday site visit, I observed the road to be moderately trafficked. I have no reason to doubt that this level of traffic was unusual, or that the speed limits are not generally adhered to.
8. It is feasible to walk or cycle the several hundred metres between the appeal site and the settlements at Hambridge and at Westport. However, to do so would entail either walking or cycling within the carriageway or walking on the somewhat tussocky and uneven grass verges alongside the road. These verges are also of varying widths, and they contain several signposts which would have to be navigated around. Despite the generally good forward visibility, it is therefore unlikely that future occupiers of the development would routinely opt to walk or cycle to access the services and facilities within either of the settlements. Furthermore, and even though there are streetlights alongside the road, pedestrian and cycle access between the appeal site and either settlement would be even less likely during times of darkness and/or inclement weather.
9. In addition, given the limited services and facilities within the 2 settlements, it is likely that future occupiers of the development would routinely travel beyond them to access many of their ordinary day-to-day needs. While the evidence indicates that Hambridge and Westport are served by bus, no compelling evidence has been provided regarding the timings and frequency of services, destinations and/or bus stop locations. Consequently, I am unable to conclude that either settlement is well served by public transport, or that the public transport provision provides a realistic alternative to private vehicles for accessing workplaces, services and facilities outside of these settlements.
10. For these reasons, future occupiers of the development are likely to be heavily reliant on the use of private cars to meet their ordinary needs.
11. Consequently, the appeal site is not a suitable location for the proposed development, with particular regard to the local development strategy and accessibility to services and facilities. That being the case, the scheme would conflict with policy SS1 of the Local Plan, and that part of policy SD1 of the Local Plan that seeks to ensure compliance with other policies within the Development Plan.

Planning balance

12. The development would make a small contribution to addressing the shortfall in the local housing land supply, to which medium weight is attributed. Moreover, the removal of the existing agricultural structures on the site, which appear to be in a poor state of repair, would lead to a minor improvement to the site's appearance. Short-term economic benefits would arise during the implementation of the scheme, and fulfilling the requirements of the mandatory Biodiversity Net Gain condition would lead to environmental benefits. However, due to the modest scale of the scheme, each of these benefits would be small and attract little weight.
13. Even if the proposed development would not cause harm to highway safety, this would be a neutral consideration.
14. Nevertheless, the scheme would conflict with those policies of the Development Plan which, together, provide a strategy for sustainable development in South Somerset. As such, and notwithstanding my previous considerations, the scheme would conflict with the Development Plan as a whole, and I attribute great weight to the harm that would be caused by this.
15. The appellant advises that the supply of deliverable housing sites in the former South Somerset District Council area is 2.22 years, and I have no reason to find otherwise. Consequently, and because of the shortfall in housing land supply within the area – which is large, paragraph 11. d) of the National Planning Policy Framework (the Framework) applies. This indicates that where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, permission should be granted unless the circumstances at 11 d) i. or 11d) ii. would apply.
16. In consideration of whether the circumstances at 11 d) ii apply, the proposal aligns with parts of the Framework that seek to significantly boost the supply of homes, and which confirm that small and medium-sized sites can make an important contribution towards meeting the housing requirement of an area and are often built out quickly. However, given that only a single dwelling would be delivered, the potential Framework compliance in respect of these matters, attracts medium weight. The development would also contribute toward the Framework objective of building a strong competitive economy. Nevertheless, the modest scale of the scheme and the minor associated economic benefits mean that only a small amount of weight can be attributed to this compliance with the Framework.
17. Notwithstanding the above, the development would be contrary to key policies within the Framework for directing development to sustainable locations. As a result, and despite the modest scale of the scheme, this Framework conflict attracts substantial weight.
18. Consequently, I find that the adverse impacts of granting permission for the development would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. As such, the proposal does not benefit from the presumption in favour of sustainable development.

Other Matters

19. On the basis that the built-up parts of the site are or were last occupied by agricultural buildings, the site does not compromise previously developed land, as defined within the National Planning Policy Framework.

20. Even though the appeal site is within the zone of influence of the Somerset Levels and Moors Ramsar site, there is no need to consider the implications of the proposed development on this habitat site. This is because the scheme is unacceptable for other reasons.
21. I have no doubt that the accessibility considerations in respect of residential schemes previously authorised in Westport were materially different from those in this case. This is because the appeal site is outside of and away from the settlement, in a location where there is likely to be reliance on private car for most access needs. As such, the granting of planning permission for houses in Westport does not lead me to a different conclusion regarding the acceptability of the appeal scheme.
22. My attention has been drawn to appeal ref APP/R3325/W/18/3200616. However, from the evidence before me, in that case it was not disputed that the site was in a location where access to some day-to-day services and facilities was possible by means other than the private car. In this appeal, I have found that access to such services and facilities by means other than private vehicle is unlikely. Consequently, the 2 appeal schemes are not readily comparable, and the determination of the earlier appeal does not lead me away from my previous findings. Nor does the determination of appeal reference APP/Y3940/W/15/3005870. This is because that appeal related to a site in another county, with differing site and planning policy contexts from those in this case.
23. On the opposite side of the road from the appeal site and in the direction of Hambridge, are 2 Grade II Listed Buildings. One is the Church of St James the Less³, and the other is the School adjacent to Church of St James the Less⁴. According to their associated official list entries, the church is a well preserved Victorian country church, and both buildings date from circa the mid-19th century. These buildings have architectural and historic interest as well as a collective group value, from which much of their significance as designated heritage assets is derived. However, as historic community buildings, they also gain some significance from their wider settings, which include the houses and agricultural land within their backdrops. The development would be some distance from the listed buildings, and it would introduce another sporadic house within their backdrops. Such development would not harm the settings of these listed buildings, and their significance would be preserved. However, this finding does not weigh in favour of the appeal scheme.

Conclusion

24. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be determined other than in accordance with it. I therefore conclude that this appeal should be dismissed.

V Simpson

INSPECTOR

³ Official list entry number: 1263773

⁴ Official list entry number: 1249220