



Appeal Decision

Site visit made on 9 April 2026

by **B Phillips BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 30 April 2026

Appeal Ref: APP/E3335/W/26/3377426

The Old Coach House, Marsh Road, Frome, Somerset BA11 2PZ

- 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 Luke Barber against the decision of Somerset Council.
 - The application Ref is 2023/0341/FUL.
 - The development proposed is the removal of existing annex and erection of a single dwelling house (Single-plot exception sites for Self & Custom-build), access, landscaping, and associated works.
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Decision

1. The appeal is dismissed.

Preliminary matters

2. I observed that there is a static caravan at present on site. From the information submitted, the site previously formed part of the residential planning unit of the adjoining property and was used for ancillary purposes including the stationing of a caravan. Now separated in ownership from the adjoining property, there is no planning history before me to suggest that there is any existing planning permission for separate independent use of the site for residential purposes¹, indeed the appellant refers to enforcement action being undertaken by the Council in regard to the use of the static caravan.
3. The proposal would therefore create a new independent residential unit, and as stated by the appellant, *'seeks to regularise the current use of the site as a site for a single dwellinghouse'*.
4. The Council's refusal reason makes reference to Policy DP1 of the Mendip District Local Plan 2006 – 2029, Part 1: Strategy and Policies (2014) (LP). This relates to local identity and distinctiveness. As such, it is not determinative in regard to the main issues identified below.

Main Issues

5. The main issues in this case are:
 - whether the appeal site is a suitable location for housing having regard to the development plan for the area;
 - whether the appeal site is a suitable location for housing having regard to the accessibility of services and facilities; and

¹ As concluded in previous appeal reference APP/Q3305/W/17/3187527

- whether the proposal provides adequate living conditions for future occupiers and the effect of the proposal on the living conditions of the occupiers of neighbouring dwellings, with respect to outlook.

Reasons

Location

6. LP Policies CP1 and CP2 set out the spatial strategy for the area. These policies seek to direct the majority of development towards the principal settlements with new development tailored to meet local needs in primary and secondary villages. Development in the open countryside will be strictly controlled but may exceptionally be permitted in line with the provisions of Policy CP4.
7. The appeal site comprises a parcel of land which, as stated above, was previously a part of the garden area of the neighbouring property. It is sited in between a cluster dwellings surrounded by open countryside. The nearest settlement is Standerwick. Standerwick does not have a defined development limit and for the purposes of the development plan, the appeal site is located in the open countryside. None of the circumstances outlined in LP Policy CP4 are applicable to the appeal scheme and consequently the proposal conflicts with the development plan for the area.
8. Policy DP24 of the Mendip District Local Plan 2006 – 2029, Part 2: Sites and Policies (2021) seeks to provide support for single plot exception sites for custom or self-build homes in locations adjacent to named settlements. Notwithstanding the extensive criteria around matters such as eligibility within the policy, there is no mechanism before me to secure the development as a self build. As such, the proposal does not therefore meet the requirements of LP Policy DP24.
9. Whilst the site has what is described as an ‘existing annex’, as set out above, there is no evidence before me that there is a lawful use for an independent dwelling in this location. As such, the existing mobile home use carries little weight in this regard.
10. I conclude that the appeal site is not a suitable location for housing having regard to the development plan for the area. It therefore conflicts with LP Policies CP1 and CP2 which together seek to direct development towards larger settlements and to strictly control development in the open countryside.

Services and Facilities

11. Standerwick is a relatively small settlement with a limited range of services and facilities such as Frome Market Ground, a public house and an indoor bowls club. Moreover, these are only reachable along the A36 and Marsh Road, which near to the appeal site lack any footway. As such, it would not be safe nor convenient to access these facilities through walking or cycling.
12. The wider services and facilities of the larger settlements of Frome and Dilton March/ Westbury are some distance away, and again would require traversing Marsh Road. Safe and convenient walking or cycling access to facilities or services would not be provided to future residents.
13. The National Planning Policy Framework (the Framework) recognises that opportunities to maximise sustainable transport solutions will vary between urban

and rural areas, however I did not observe any nearby bus stops providing usable practical access to larger settlements and have not been made aware of any in an accessible proximity.

14. Given the lack of convenient local facilities and services and convenient public transport options, the occupiers of the new dwelling would be very likely to have a high reliance on a private motor vehicle to access day to day services and facilities. Once in the private vehicle, it is likely that access to the services and facilities of larger settlements would be prioritised. As such, any benefit to rural vitality would be limited. Given the scale of development, additional traffic would be modest, however the Framework sets out the requirement that sustainable transport modes are prioritised.
15. I conclude that the appeal site is not a suitable location for housing having regard to the accessibility of services and facilities. Consequently, I find the proposal would conflict with the enabling of sustainable travel choices goals of LP Policy DP9.

Living conditions

16. The sole proposed window serving bedroom 2 would directly face a side boundary, which is a tall part wall part timber boundary. Given the height of this boundary treatment and the very close proximity between the window and the boundary, the outlook from the room would be very restricted and occupiers would consequently feel enclosed. The development would not provide an adequate quality of living conditions to users of this room as a result.
17. I observed that the neighbouring property also has fenestration facing this side boundary in close proximity, serving a single storey side addition. Therefore, in this direction at least, this room at present has limited outlook. The limited height of the new dwelling would mean that it would only extend a small height the existing boundary treatment, and the other fenestration serving this room faces the more open front elevation, providing a more generous aspect. The proposed development would not therefore result in an increased sense of enclosure for neighbouring users of this room.
18. As such, there would be no harm to the outlook and living conditions of the occupiers of this neighbouring property.
19. Nevertheless, the proposal would not provide adequate living conditions for future occupiers. The development would conflict with the provision of a satisfactory environment for future occupiers goals of LP Policy DP7.

Planning Balance and Conclusion

20. The proposal would result in an additional unit of accommodation which would contribute to the Government's broader objective of significantly boosting the supply of homes. The development would make efficient use of the site, as supported by the Framework. The proposal would also result in a short-term economic benefits arising from the construction process. Economic and social benefits are also likely to arise from the occupation of the new dwelling. However, given the quantum of development in this case, each of these benefits would be modest.

21. The Framework seeks to ensure the prioritisation of sustainable transport modes and a high standard of amenity. As such, the conflict with LP Policies DP7 and DP9 should be given great weight in this appeal. The proposal would also conflict with the housing strategy of LP Policies CP1 and CP2 and the plan-led approach endorsed by the Framework. Given the current significant shortfall, the housing strategy policies are not currently providing sufficient housing. As such I give the conflict with these policies minor weight. Nevertheless, given the conflict identified above, the development would conflict with the development plan as a whole.
22. The Council confirms that they are unable to demonstrate a 5 year housing land supply, and put the current figure at a 3.55 year supply, and within the former Mendip area a 2.3 year supply. The presumption in favour of sustainable development outlined in Paragraph 11d)ii of the Framework is therefore engaged.
23. The proposed unit would be a self build unit. The Framework supports small sites to come forward for self-build and custom-build housing. However, notwithstanding that there is no evidence before me that the Council is failing in its statutory duty to meet the demand for self-build and custom housebuilding, as set out above, no mechanism is before me to secure the development. As such, I cannot give this matter any weight in favour of the proposal.
24. The dwelling would utilise sustainable construction methods, supported by the sustainable development goals of the Framework, however, given the scale of development, this benefit would be minor.
25. Given the importance given to the prioritisation of sustainable transport modes and a high standard of amenity in the Framework, I give great weight to these matters. Consequently, the adverse impacts set out above would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. As a result, the presumption in favour of sustainable development does not apply.
26. The proposal is contrary to the development plan as a whole and there are no other material considerations of sufficient weight to indicate a decision should be made other than in accordance with the development plan. I therefore conclude that the appeal should be dismissed and permission is refused.

B Phillips

INSPECTOR