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# Appeal Decision

Site visit made on 7 March 2016

**by Gareth W Thomas BSc(Hons) MSc(Dist) PgDip MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 17 March 2016**

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**Appeal Ref: APP/R3325/W/15/3140555**

**Land at Aller Road, Huish Episcopi, Langport TA10 0QL**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr & Mrs P Knight against the decision of South Somerset District Council.
  - The application Ref 15/00858/FUL, dated 19 February 2015, was refused by notice dated 23 July 2015.
  - The development proposed is for the demolition of dilapidated outbuildings and the erection of a dwelling.
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## Decision

1. The appeal is dismissed.

## Main Issue

2. The main issue in this appeal is whether the proposed new dwelling is acceptable in this location having regard to the current development plan context and the presumption in favour of sustainable development in the National Planning Policy Framework.

## Procedural matters

3. The appellants have indicated their willingness to enter into a Unilateral Undertaking to make a financial contribution to the Council for the purposes of affordable housing provision. This is dealt with later in this decision.

## Reasons

### *Development Plan context*

4. The appeal site comprising approximately 0.35 hectares is situated in open countryside some 0.7km east of Aller. The site is accessed off a stoned farm track leading from the A372 and consists of a modest range of redundant farm buildings. A small orchard immediately to the east of the buildings would form the domestic garden for the dwelling.
  5. The proposal would take the form of a low single storey 'L' shaped building, with the south road facing elevation taking the form of a rural building including through the use of a mono-pitched slate roof, natural stone and timber clad walls. These materials are also used on the principal elevations together with reclaimed natural clay tiles. I agree with the appellant that the design incorporating the traditional features mentioned would represent an
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acceptable design for this location and would therefore comply with South Somerset Local Plan Policy EQ2, which amongst other things, seeks to ensure that new developments reinforces local distinctiveness and respect local context. This is a positive aspect of the proposal.

6. The Council's settlement strategy is contained within Policies SS1 and SS2 of the LP and consists of a hierarchy of settlements identified on the basis of their current role and function, with future growth concentrated within specified settlements at the higher end of the hierarchy. Rural Settlements are the lowest category within the hierarchy. LP Policy SS2 sets out that development would be strictly controlled and limited to that which provides appropriate employment opportunities, creates/enhances community facilities and/or meets identified housing need, particularly affordable housing.

*Sustainable development*

7. But these policies are relevant to the supply of housing. Given the Council's acceptance that it presently cannot demonstrate a five year supply of housing sites, in the context of the National Planning Policy Framework (the Framework), I agree with the appellant that they are out of date. Having regard to the accepted housing supply situation I am attaching considerable weight to the presumption in favour of sustainable development set out in the Framework and in particular, the decision-taking part of paragraph 14. There are three dimensions to sustainable development: environmental, economic and social.
8. Turning to the environmental role first, the appellants do not believe that the site would be isolated as such because this area of Somerset is characterised by pockets of development, including smallholdings and other dwellings in the countryside. They also point out that the site is already built upon with structures and hardstandings. However, despite the presence of two dwellings on the opposite side of the road to the farm road entrance, the site is isolated in the terms set out in paragraph 55 of the Framework.
9. This paragraph also advocates that, in order to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, developments in one village may support services in villages nearby. Clearly, given its location, the appeal development would not have the relationship to Aller of the type outlined in paragraph 55.
10. In support of the proposition that the site should be considered as a sustainable location, the appellants draw attention to a previous appeal that I determined at Curry Rivel<sup>1</sup>. However, the two sites are not comparable. At Curry Rivel, there was a grouping of some nineteen or so dwellings in a small and somewhat distinct hamlet linked by a good footway to Curry Rivel. Here on the other hand, there is no footway connection to Aller and from what I saw during my site visit, the A372 is a fast and busy unlit section of highway with twists and turns. People would find it most uncomfortable to walk the 700m or so to the very few facilities available at Aller.
11. Given its countryside location, the proposal would not be conveniently located to shops, services, community services and facilities. I have little doubt that

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<sup>1</sup> APP/R3325/W/15/3011490

- occupiers of the new dwelling would travel to nearby towns and villages by private car. The local road conditions moreover would make walking and cycling to access these facilities unattractive to most people. This would be in conflict with the environmental and social roles of sustainability. I attach significant weight to these considerations.
12. The economic role of sustainability includes contributing to building a strong, responsive and competitive economy. Developing a new home would result in some economic benefit through its building and occupation. It is probable that future occupiers would use the facilities that are available in the nearby village and towns and villages further afield. But the contribution arising from one dwelling would be unlikely to be discernible. I attach only limited weight to these matters in my determination.
  13. The social role of sustainability includes supporting strong, vibrant and healthy communities with accessible local services. I have found above that the use of the private car would be required to access even basic services and facilities. But of concern is that nearby settlements would not be particularly accessible to those members of the community that did not have access to a private car. I attach significant weight to this consideration.
  14. I therefore conclude that although there would be some environmental, economic and social benefits arising from the proposal, these would be limited. The scheme's heavy reliance on the private car, the site's location remote from services and facilities and the limited appeal to those people who may not have personal transport outweigh these benefits. Given that the three roles of sustainability are mutually dependent, I conclude that the scheme would not result in sustainable development for which the Framework indicates there is a presumption in favour.
  15. It is acknowledged that there appears to be a willingness on the part of the appellants to make a financial contribution towards the provision of affordable housing. However as I have found against the development on grounds of sustainable development, I need not consider this issue further.

### **Conclusion**

16. Although the design and use of appropriate local materials are positive features of the proposal, as is the willingness to enter into an Obligation to make appropriate financial contributions towards affordable housing, for the reasons given, the adverse impacts of allowing this appeal in terms of sustainable development would outweigh the limited benefits so identified when assessed against the Framework taken as a whole. My finding that the proposal would not constitute sustainable development is the overriding consideration. Having regard to this and to all other matters raised, it is concluded that this appeal should be dismissed.

*Gareth W Thomas*

INSPECTOR