
Appeal Decision

Site visit made on 24 July 2014

by Iwan Lloyd BA BTP MRTPI

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

Decision date: 7 August 2014

Appeal Ref: APP/R3325/D/14/2219587
74 Larkhill Road, Yeovil, Somerset BA21 3HQ

- 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 Mrs Helen Handscomb against the decision of South Somerset District Council.
 - The application Ref 14/01526/FUL, dated 26 March 2014, was refused by notice dated 15 May 2014.
 - The development proposed is new vehicular access off Larkhill Road, to provide new hardstanding over grass verge and parking area to property.
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Decision

1. The appeal is allowed and planning permission is granted for new vehicular access off Larkhill Road, to provide new hardstanding over grass verge and parking area to property at 74 Larkhill Road, Yeovil, Somerset BA21 3HQ in accordance with the terms of the application, Ref 14/01526/FUL, dated 26 March 2014, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: (6473/1, 6473/2 and schedule of works).
 - 3) The development hereby permitted shall be constructed entirely of the materials details of which are shown on the application form.
 - 4) In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars. The erection of fencing for the protection of any retained tree shall be undertaken in accordance with details that have been submitted to, and approved in writing by the local planning authority, and before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition.
 - 5) The vehicular access shall not be brought into use until drainage works have been carried out in accordance with details to be submitted to and approved in writing by the local planning authority.

Reasons

2. The main issue in this case is the effect of the proposal on highway safety.
3. The appeal property is a semi-detached dwelling with a small front garden adjoining a footway. Beyond the footway towards the carriageway is a larger highway verge, part of which at this juncture adjoins a parking bay parallel to Larkhill Road. Within this highway verge is a mature tree and the proposal would be to retain the tree and create a hard-standing crossing the garden and verge with access onto the southern most edge of the parallel parking bay.
4. Larkhill Hill is one of the routes into Yeovil and serves established residential estates linking Thorne Lane and Preston Road. Traffic calming measures have been installed with carriageway narrowing to the south and north of the proposed access designed to give priority to traffic travelling in a certain direction to calm vehicle speeds. Several properties have installed single and paired driveways off Larkhill Road and others onto the parallel parking bay adjacent to the appeal property.
5. The proposed driveway would provide sufficient space for one vehicle with a proposed width of 3.6m, but no turning area would be provided. The Appellant indicates that 2 spaces would be required to serve the 3 bedroom property. The Council objects to the development on this basis.
6. I noted that parking within the bays was unrestricted, and whilst 2 parking spaces are required by the Appellant any deficiency in the parking provision could be accommodated in these unrestricted areas. There is no evidence that the proposed provision of 1 space within the appeal site is seriously deficient and would lead to a highway safety concern.
7. Secondly, whilst there is no turning space within the site this is the prevailing character of other established accesses onto Larkhill Road. There is no evidence to indicate that this present arrangement has caused a highway safety concern. In this case, the Appellant could reverse and manoeuvre the vehicle into the parking bay from the driveway. This manoeuvre would not be any different to drivers reversing from adjacent access points. Visibility could be restricted due to vehicles being parked on the parking bay. However, this would not be inherently dangerous as greater care would be needed to undertake this safely, as is likely to be the situation with adjacent accesses served from the parking bay. In the absence of evidence to indicate otherwise, I conclude that the proposal would not harm highway safety.
8. I consider that the appeal should be allowed, and that the proposal would not conflict with Policy ST5 of the South Somerset Local Plan, in so far as this relates to the issue of highway safety. I have revised the wording of some of the suggested conditions. The first three deal with implementation and to ensure the development is constructed in accordance with the approved plans and details. Condition 4 is needed as revised to protect the tree during the course of construction, and condition 5 is necessary to ensure a satisfactory drainage scheme in the interests of highway safety.

Iwan Lloyd

INSPECTOR