



Appeal Decision

Site visit made on 28 July 2014

by **Colin Cresswell BSc (Hons) MA MBA MRTPI**

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

Decision date: 18 August 2014

Appeal Ref: APP/R3325/A/14/2218832

2 Woodland Terrace, Mill Lane, Yeovil, Somerset, BA20 1NY

- 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 I White against the decision of South Somerset District Council.
 - The application Ref 14/00244/FUL, dated 20 January 2014, was refused by notice dated 17 March 2014.
 - The development proposed is new dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for a new dwelling at 2 Woodland Terrace, Mill Lane, Yeovil, Somerset, BA20 1NY in accordance with the terms of the planning application, Ref: 14/00244/FUL, dated 20 January 2014, subject to the conditions set out in the Schedule at the end of this decision.

Main Issue

2. The main issue is the effect of the proposal on parking in the area with regard to highway safety and the living conditions of local residents.

Reasons

3. Policy TP7 of the *South Somerset District Council Local Plan* (the Local Plan) states that there should be a maximum of one off-street parking space provided per dwelling in town centres. However, where the development has less demand for parking than family housing, or where individual locations are particularly accessible, the policy indicates that parking provision should be below the required maximum.
4. Although the proposed dwelling would constitute family sized housing, it is in a highly accessible location on the fringes of the town centre. The bus station is within relatively easy walking distance, together with a range of town centre shops and services. As such, it would be possible for future occupiers of the proposed dwelling to meet their day-to-day family needs without requiring access to a car. In such circumstances, Policy TP7 would permit residential development with no off-street parking, even for a family sized dwelling which may be occupied by children.
5. Although not adopted policy, the Council draw attention to the *Somerset County Council Parking Strategy* (the Parking Strategy) which was prepared more recently than the Local Plan. This advises that three bedroom properties

should provide two car parking spaces. However, the strategy also indicates that developments in more sustainable locations that are well served by public transport or have good walking and cycling links may be considered appropriate for lower levels of parking provision. In this particular case, I have found that the location is highly accessible.

6. Apart from the potential for on-street car parking associated with the proposed dwelling, the Council also express concern at the displacement of vehicles from the existing parking area associated with the appeal property. Although it may be possible for local residents to apply for parking permits, it is unclear from the evidence before me what the availability of spaces currently is. It would clearly be a matter for future and existing occupiers whether they chose to own a vehicle in light of the availability of convenient parking nearby. Whilst the 2009 survey referred to by the Council highlighted car ownership levels within the city centre, I note that 54% of households indicated that they had no car and that 49% indicated that they did not require a car. This suggests that private vehicles are not essential in this location and therefore development which provides no off-street parking provision can be justified in accordance with Local Plan Policy TP7.
7. I am mindful of the Council's wish to avoid pressure on town centre car parks in order to prioritise the needs of shoppers. Whilst the 2013 review of the Parking Strategy forecast a deficit of short and medium stay spaces on Saturdays by 2018, there is a surplus of long-stay car parks elsewhere which are likely to prove attractive to local residents unable to find on-street parking spaces within the permit controlled zones. As such, there is little to indicate that the proposal would undermine the viability of the town centre.
8. I therefore conclude that the proposed development would have an acceptable impact on parking provision in the vicinity of the appeal site. There would be no conflict with Policy TP7 of the Local Plan which establishes maximum levels of parking provision in town centre locations. There would also be no conflict with Paragraph 39 of the *National Planning Policy Framework* in this regard. For the above reasons, and having regard to all other matters raised, I therefore conclude that the appeal should be allowed.
9. I have considered the conditions put forward by the Council in light of the *Planning Practice Guidance*. Where necessary, I have altered the conditions to better reflect this guidance. For the avoidance of doubt, a condition has been imposed for the development to be carried out in accordance with the approved plans, together with the standard time limit condition.
10. To help protect the character and appearance of the area, a condition is imposed requiring further details of some aspects of the development. To help protect the privacy of occupiers, the condition also requires further details of glazing in ground floor doors and windows as suggested by the appellant in an email dated 25 February 2014. Given that the site was previously occupied by a factory, I have also imposed the suggested condition to investigate and remediate potential contamination.

Colin Cresswell

INSPECTOR

Attached – Schedule of Conditions

SCHEDULE OF 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: 6273-10, 6273-11,6273-12.
- 3) Notwithstanding condition 2, no development shall take place until details of the following have been submitted to and approved writing by the local planning authority;
 - a) specific materials (including the provision of samples) to be used for all external walls (including lintel, stringcourse detailing) and roofs windows and doors;
 - b) the design and materials of eaves/verge plus rainwater goods; and
 - c) the design of boundary walls, railings and landscaping.

Development shall be carried out in accordance with the approved details.

- 4) No development shall take place until details of any repositioning and obscure glazing of the windows and door in the North West elevation of the existing dwelling have been submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to the first occupation of the dwelling hereby approved
- 5) No development shall take place unless a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures before development begins. If, during the course of development, any contamination is found which has not been identified in the site investigation, development on that part of the site must be halted and additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. No further development shall take place on the affected part of the site until it has been remediated in accordance with the approved additional measures.