



Appeal Decision

Site visit made on 14 August 2014

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI
an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 22 August 2014

Appeal Ref: APP/R3325/D/14/2221332
183 Ilchester Road, Yeovil, Somerset BA21 3BQ

- 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 Matthew Fricker against the decision of South Somerset District Council.
 - The application, Ref. 01014/FUL, dated 20 March 2014, was refused by notice dated 15 May 2014.
 - The development proposed is to turn the existing front garden into one single hard standing area.
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Decision

1. The appeal is allowed and planning permission is granted to turn the existing front garden into one single hard standing area and for the formation of a vehicular access at 183 Ilchester Road, Yeovil, Somerset in accordance with the terms of the application, Ref. 01014/FUL, dated 20 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: Proposed Plan 24/2/14 (scale 1:100); Proposed Street Scene (scale 1:100); OS Location Plan 'Street Layout' (scale 1:1250);
 - 3) The method of drainage shall be carried out in accordance with the approved plans and shall thereafter be permanently retained.

Procedural Matter

2. Although not mentioned in the description of the proposal on the application form it is clear that the proposal includes the formation of a vehicular access. I have therefore dealt with the appeal on this basis.

Main Issue

3. The main issue is the effect of the proposal on highway safety.
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Reasons

4. I saw on my visit that the majority of properties on this side of Ilchester Road have had their front gardens converted into hardstanding for the purposes of car parking. These include the adjoining property at No. 185 which appears to have a front garden of the same size as the appeal property.
5. The Highway Authority considers that there is insufficient room for two cars to be parked as well as providing the manoeuvring space needed to enable vehicles to both enter and leave the property in a forward gear in accordance with its normal standards.
6. However from the appellant's letter to the Council of 20 March 2014 it is clear firstly that the proposal is motivated by the danger and inconvenience of sometimes having to reverse into a roadside parking space and secondly that it is his intention to drive both into and out of the property in a forward gear. From the area of hardstanding that would be available I consider this to be entirely feasible despite the additional manoeuvring necessary.
7. I also consider it reasonable to assume that this would be perceived as the safer and more convenient option by future occupiers of the house. Even if this was not the case, the effect on highway safety of reversing into and out of the driveway has to be set against the effect of roadside parking and the hazardous manoeuvring that this sometimes entails.
8. On balance I do not consider there to be a net adverse effect on highway safety and an unacceptable conflict with paragraph 5 of Policy ST5 of the South Somerset Local Plan 2006. Furthermore, as pointed out for the appellant, paragraph 32 of the National Planning Policy Framework 2012 states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. I do not consider this to be the case here.
9. The Council has suggested some conditions if the appeal is allowed. A condition requiring the development to take place in accordance with the approved plans is necessary in the interests of accuracy and proper planning. A condition relating to the drainage will ensure that surface water run-off is dealt with adequately and in the interests of highway safety. I have considered the suggested conditions precluding gates and other obstructions but regard them as being unduly onerous, as suitably sited planters or similar features and appropriately hung gates would not necessarily restrict manoeuvring. They are also unnecessary bearing in mind that occupiers would be unlikely to negate one of the main advantages of the hardstanding by limiting the area available for parking and turning.

Conclusion

10. For the reasons stated above, the appeal is allowed subject to conditions.

Martin Andrews

INSPECTOR