

Area North Committee – 23 November 2011

Officer Report On Planning Application: 11/02841/FUL

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| Proposal: | Change of use of 4 bedroom residential property to a 3 bed Bed & Breakfast with one bed owners accommodation and creation of parking (GR: 342961/116958). |
| Site Address: | 18 Palmer Street, South Petherton, Somerset |
| Parish: | South Petherton |
| SOUTH PETHERTON Ward (SSDC Members) | Mr P A Thompson (Cllr) Mr B R Walker (Cllr) |
| Recommending Case Officer: | Claire Alers-Hankey Tel: 01935 462295 Email: claire.alers-hankey@southsomerset.gov.uk |
| Target date: | 14th October 2011 |
| Applicant: | Miss Kathryn Russell |
| Agent: (no agent if blank) | |
| Application Type: | Minor Other less than 1,000 sq.m or 1ha |

REASON FOR REFERRAL TO COMMITTEE

This application is referred to the Area North Committee as the case officer recommendation is contrary to the recommendation of the Highway Authority, and to enable the highway safety to be considered.

SITE DESCRIPTION AND PROPOSAL

Saved policies of the South Somerset Local Plan:

Policy ST5 - General Principles of Development

Policy ST6 - The Quality of Development

Policy EH1 - Conservation Areas

Policy TP7 - Residential Parking Provision

National Guidance:

PPS1 - Sustainable Development

South Somerset Sustainable Community Strategy:

Goal 5 - High Performance Local Economy

Goal 7 - Distinctiveness

Goal 8 - Quality Development

CONSULTATIONS

PARISH COUNCIL - No objection in principle, but would like to see the entrance gate set further back so that cars do not wait on the highway while waiting for the gates to open. Unless this can be conditioned, recommend refusal.

COUNTY HIGHWAY AUTHORITY - Recommend refusal on the basis that the proposal would cause increased use of the access to the site which is substandard in terms of visibility. Recognises that although the gates could be moved further back to prevent cars waiting on the highway for the access gates to open, the applicant does not control sufficient land to provide the required visibility splays for the access.

AREA ENGINEER - No comment

REPRESENTATIONS

None received

CONSIDERATIONS

Principle

The site is located within the defined development area, where the principle of development is considered to be acceptable. The provision of tourism accommodation within development areas is supported by Policy 22 of the Structure Plan.

Highways

The applicant has provided additional information to show that the access gates can be moved further back from the carriageway edge to prevent vehicles waiting on the highway for the gates to open. The Highway Authority has confirmed that this aspect of the proposal is acceptable.

The applicant has also indicated willingness to reduce the wall to the southwest to 900mm, which falls within her ownership, to improve the visibility in that direction. While the wall running to the northeast does not fall within the applicant's ownership, the wall is already at a height of approximately 900mm. Despite this the Highway Authority has recommended refusal of the planning application as there is potential for the neighbour owning the adjacent section of wall to obstruct the current visibility further by planting a

hedge, which would be outside of the control of the applicant. On this basis the Highway Authority is concerned the proposal will cause the increased use of a vehicular access which is substandard due to inadequate visibility.

Having visited the site it would appear that vehicles travel at relatively low speeds along this stretch of highway, in order to negotiate the sharp bend to the southwest of the site access. On the basis that vehicle movements are likely to be below the legal speed limit for the road, it is considered that the visibility provided from the existing access is appropriate to accommodate any additional traffic generated by the change of use to three bed and breakfast rooms.

Other Issues

No physical alterations are proposed to the building and accordingly there will be no impact on visual amenity of the area. The use of the building is still residential, within a residential area. As such, the impact on local residential amenity is considered to be very limited.

The reduction in height of the wall that falls within the applicant's ownership from 1.85m high to 900mm high would not have a detrimental impact upon the character of the conservation area, as the majority of walling currently along Palmer Street is below 1 metre in height.

Conclusion

It is considered the proposal would have limited impact in terms of visual and residential amenity, and would provide tourist accommodation within the defined development area. Furthermore, on balance it is considered the proposal would not be prejudicial to highway safety, given the restricted speed to traffic using the road adjacent to the access. Accordingly the proposal complies with Policies ST5, ST6 and EH1 of the South Somerset Local Plan and Policies 22 and 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

RECOMMENDATION

Permission be granted for the following reason:

It is considered the proposal would not harm visual and residential amenity, and would provide tourist accommodation within the defined development area. Furthermore, the proposal would not be prejudicial to highway safety, given the restricted speed to traffic using the road adjacent to the access. Accordingly the proposal complies with Policies ST5, ST6 and EH1 of the South Somerset Local Plan and Policies 22 and 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be begun within three years of the date of this permission.
Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).
02. There shall be no obstruction to visibility greater than 900mm above adjoining road level forward of a line drawn 2.4m back and parallel to the nearside carriageway edge over the entire site frontage. Such visibility shall be fully provided before the development hereby permitted is first occupied and shall thereafter be maintained at all times.

Reason: In the interests of highway safety and to accord with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

03. The entrance gate(s) shall be set back a minimum distance of five metres from the edge of the adjoining carriageway and the sides of the access shall be splayed from the centre of the access at such distance from the carriageway edge at an angle of 45 degrees. These works shall be fully implemented before the access concerned is first brought into use.

Reason: In the interest of highway safety, in accordance with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

04. The access and area allocated for parking on the submitted plan shall be kept clear of obstruction and shall not be used other than for the access and parking of vehicles in connection with the development hereby approved. The access shall be surfaced with properly consolidated material (not loose stone or gravel) prior to the occupation of the development hereby approved.

Reason: In the interest of highway safety, in accordance with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

05. The development hereby permitted shall be carried out in accordance with the following approved plans: proposed floor plans and block plan date stamped 9th August and 19th August 2011.

Reason: For the avoidance of doubt and in the interests of proper planning.
