



Appeal Decision

Site visit made on 6 March 2013

by **David Nicholson RIBA IHBC**

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

Decision date: 26 March 2013

Appeal Ref: APP/R3325/A/12/2185708

Land to West of Clematis, Pitney, Langport TA10 9AF

- 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 M Mitchell against the decision of South Somerset District Council.
 - The application Ref 12/00520/FUL, dated 8 February 2012, was refused by notice dated 20 April 2012.
 - The development proposed is erection of two dwellings and garages together with formation of vehicular accesses.
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Decision

1. **The appeal is dismissed.**

Main Issues

2. The main issues are whether or not the proposals would amount to sustainable development, and; the effects of the scheme on highway safety.

Reasons

Sustainable development

3. The village of Pitney is outside any defined development area in the South Somerset Local Plan (LP), adopted in 2006, and the Council has argued that the proposals would therefore conflict with Policy ST3 which strictly controls development outside the defined development areas of villages and restricts it to that which does not foster growth in the need to travel. Although this policy is now rather dated, its emphasis on sustainability is consistent with the National Planning Policy Framework, published in March 2012, (the *Framework*) and so I still give Policy ST3 substantial, if not full, weight in this Decision.
4. Pitney does enjoy some facilities including a church, village hall, play area, farm shop, and a public house. On the other hand, the church has irregular services, while the farm shop is not a convenience store and appeared closed on the day of my visit. The nearest primary school, Post Office, health centre, substantial convenience stores and secondary school are all at least 2 miles away. The bus stop near the pub offers little more than hourly services. Consequently, I find that the village has few indicators of sustainability and that the future occupiers of the proposed dwellings would be likely to undertake most journeys by private car. There is nothing in the application that would help to make the location more sustainable or to accord with the penultimate bullet point in paragraph 17 of the *Framework*.

5. The proposed dwellings would each have 3 bedrooms, 3 reception rooms and a double garage. The scheme would do little to support economic growth in this rural area, as promoted by paragraph 28 of the *Framework*, beyond the construction of two houses. Rather, it would encourage travel by the private car. The proposed plans, illustrating garages which would be larger than the sitting rooms, underline this point. I have studied the report for a permission granted in Long Sutton but that village has different services and the Council's committee found that the proposal would not constitute unsustainable development. I have noted the permissions granted in Pitney but these were before the *Framework* was published.
6. For the above reasons, I find that the proposals would foster growth in the need to travel, in conflict with LP Policy ST3, and would be contrary to the presumption in favour of sustainable development in the *Framework*, including paragraphs 14, 49 and 55 in particular.

Highway safety

7. The road alongside the appeal site is narrow and serves a number of existing houses. There are already many access drives leading off the road. No speed measurements have been submitted but on my visit there was little traffic and vehicle speeds were low. The proposed accesses would fall a little short of the Highway Authority's requested visibility splays and some larger vehicles might have to perform a three-point turn if they needed to enter or exit the site.
8. Given the narrow width and existing accesses, drivers are likely to proceed with caution. Indeed, in my experience as a driver, a narrow road with obvious hazards and poor visibility can be safer than a road with generous visibility splays that encourage faster driving. This is reflected in *Manual for Streets* which relates the length of visibility splays to probable vehicle speeds. Large vehicles are unlikely to need frequent access and so the occasional hold-up would not cause unacceptable delays.
9. For these reasons, I find that the proposed accesses would not pose a significant risk to highway safety. They would accord with paragraph 32 of the *Framework* that sites should have safe and suitable access and that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development would be severe.

Conclusions

10. I have had regard to all other matters raised including: the emerging Local Plan (which is still at the consultation stage); the Village Design Statement (which has not been translated into a Neighbourhood Plan); the support of the Parish Council; whether or not the need is for homes for younger people not executive style houses for the rich retired; the proximity of a number of listed buildings whose settings might be affected by the design of the proposed houses, and; the possible presence of slow worms which could be protected by a condition.
11. For all the reasons given above I conclude that, on balance, the appeal should be dismissed.

David Nicholson

INSPECTOR