

Area North Committee – 26 February 2014

Officer Report On Planning Application: 13/04297/FUL

Proposal :	Proposed new 2-bedroom detached house within curtilage of 1 Westview together with alterations to access and parking arrangements (GR: 346869/125543)
Site Address:	1 Westview, Shute Lane, Long Sutton.
Parish:	Long Sutton
TURN HILL Ward (SSDC Member)	Cllr Shane Pledger
Recommending Case Officer:	Alex Skidmore Tel: 01935 462430 Email: alex.skidmore@southsomerset.gov.uk
Target date :	12th December 2013
Applicant :	Mr S Reece
Agent: (no agent if blank)	Paul Dance, Foxgloves, 11 North Street, Stoke Sub Hamdon, Somerset TA14 6QR
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

This application is referred to Committee at the request of the Ward Member, with the agreement of the Vice Chairman to enable the highway concerns to be fully debated.

SITE DESCRIPTION AND PROPOSAL





This application is seeking full planning permission to erect a two-storey detached dwelling within the garden of 1 Westview with associated alterations to the existing access and parking arrangements.

1 Westview is two-storey, three bedroom, semi-detached dwelling located within Long Sutton's defined development area. The existing dwelling forms part of a row of very similar semi-detached properties that face on to the highway the north, a classified B road. The existing access is positioned close to the northwest corner of the site which leads to a parking and turning area capable of accommodating two cars with an additional lawned area to the front capable of providing additional parking spaces. The site slopes down from east to west with the result that the existing dwelling is at a lower level to the adjacent road and is raised up above the neighbouring residential properties to the rear. A primary school is located on the opposite side of the road with the village hall and recreational ground to the northeast and agricultural land to the north. There is a good size garden to the rear with mature planting along the north and rear boundaries.

RELEVANT HISTORY

13/01059/FUL Erection of a three bedroom detached dwellinghouse and alteration to access and parking arrangements (revised application). Refused for the following reason:

"The proposal has not demonstrated that the proposed access to the B3165 can incorporate the necessary visibility splays, while the site cannot accommodate adequate parking and turning facilities to enable vehicles to enter and leave the highway in forward gear, which are essential to highway safety. The proposal is therefore contrary to Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review (Adopted April 2000) and ST5 of the South Somerset Local Plan and the National Planning Policy Framework, specifically paragraph 32."

- 12/04281/FUL Erection of a three bedroom detached dwellinghouse and alteration of access and parking arrangements. Withdrawn.
- 91058: Formation of a new vehicular access and provision of turning area and layby. Permitted.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise.

The development plan comprises the South Somerset Local Plan. The policies of most relevance to the proposal are:

ST5 - General Principles of Development
 ST6 - The Quality of Development
 EC3 - Landscape
 EU4 - Water Services
 TP7 - Car Parking

National Planning Policy Framework:

Part 4 - Promoting sustainable transport
 Part 6 - Delivering a wide choice of high quality homes
 Part 7 - Requiring good design
 Part 10 - Meeting the challenge of climate change, flooding and coastal change
 Part 11 - Conserving and enhancing the natural environment

Other relevant documents:

Somerset County Council Parking Strategy 2012

CONSULTATIONS

Long Sutton Parish Council - Recommend approval subject to all highway safety issues being addressed to the satisfaction of the LPA.

County Highways - Referred both to their standing advice and to their previous comments and recommendations of refusal and advised that these concerns and recommendations apply equally to the current application.

County Highway comments in relation to previous application (13/01059/FUL): Recommend refusal for highway safety reasons as it cannot be demonstrated that the proposed access can incorporate the necessary visibility splays and that adequate parking and turning facilities can be accommodated within the site to enable vehicles to enter and leave the site in forward gear.

They go on to state that whilst the site lies within the speed limit of 20mph, it is likely that traffic could be travelling faster than this as they accelerate/decelerate when entering and leaving the village and make their transition between the two speed limits. It is noted that the access is being relocated approximately 6m to the south and will be widened to 5m. The proposed entrance gates are set back 5m from the carriageway edge however it is considered that their siting would restrict manoeuvring within the site and reduce the size of the turning area available. The access would need to incorporate sufficient

visibility splays commensurate with traffic speeds on the adjoining public highway.

Whilst a sufficient number of parking spaces are proposed (for the proposed dwelling), the position and turning area is not considered to be an appropriate size and does not meet the SCC standard. This will result in vehicles having to reverse onto/from the highway and effectively add to likelihood of conflicting movements onto or next to the highway at this point. The dwelling is being partially erected on the parking/turning area of the existing dwelling, so the proposal is not only reducing the turning area for the existing but adding to the number of vehicles that will be using it.

The principle of accepting turn tables in lieu of an appropriately sized turning area has not been established in Somerset. Vehicle turn tables bring with them a maintenance liability issue that cannot be reasonably addressed by planning condition, as such parking / turning facilities of an appropriate size must be available and easy to use by occupants. The situation is exacerbated by insufficient parking not being provided on the site as a whole for the existing and proposed dwellings, as three spaces should be retained for the existing and three for the proposed. The parking and turning layout remains contrived.

Manuel for Streets (MfS) states in paragraphs 7.4.6 and 7.4.8, that a street with a 20mph limit is not the same as a 20mph zone and to create a 20mph zone there is a legal requirement that traffic calming measures are installed to ensure that low speeds are maintained throughout. This stretch of highway does not have any physical traffic calming measures.

MfS also goes on to say that a speed limit is not an indication of the appropriate speed to drive at, it is the responsibility of drivers to travel within the speed limit at the speed suited to the conditions and from personal observations and given that the development is on the edge of the village it is considered that splays based on 2.4m x 43m is appropriate rather than 25m, especially when the proximity of the school access (and its associated movements) is taken in to account and the need to maintain school front safety.

Whilst the Agent may consider the revised access to be an improvement to that existing and should be allowed for this reason, however, the amount of traffic using will be doubled as a result of the second dwelling and it is essential in terms of highway safety for all road users that new development proposals meet the standards that are applicable in term of access, parking and turning to ensure highway safety is not compromised.

The NPPF states that a safe suitable access to sites should be achieved in addition to a safe and secure layout for all people from a highway perspective, this clearly cannot be achieved in this case due to the constraints of the site.

Wessex Water - Raised no objection

Landscape Officer - The proposal will result in the loss of boundary conifer trees and increase massing at the village edge, as seen from its main northern approach. However, the scale of the proposal and its detailing is comparable with the properties to the south, hence any impact will be both localised and minor. Noting the potential for replacement planting on site, whilst I am not persuaded by the proposal, its landscape impact is not so great as to generate a landscape objection.

REPRESENTATIONS

Written representations have been received from one adjacent neighbour raising the

following concerns:

- The existing sewer converges at 11 Westview and over recent times the sewer has become blocked with items that have come down from the houses behind (i.e. no's 1 to 6). The manhole which is positioned at the rear of our house takes waste from these houses. Any more development would overload the sewer system even more and would cause more problems in the future.

CONSIDERATIONS

This application is seeking full planning permission for the erection of a detached, two-storey dwelling and has been submitted following two previous unsuccessful applications for very similar proposals. The first application was withdrawn and the second application refused for highway safety reasons due to the substandard level of visibility for the site access and insufficient levels of on-site parking and turning.

Principle

The application site is located within the defined development area for Long Sutton where it is within easy walking distance of the various facilities and services that can be found within the village, as such the proposed development is considered to be in a sustainable location and to be acceptable in principle.

Highway safety

The current application is an almost identical proposal to the last application, application 13/01059/FUL which was refused in May last year for the highway safety reasons stated above. The revised access arrangements and level of parking and turning is unchanged to that previously proposed, with the only difference between the schemes relating to the number of bedrooms incorporated within the new house which has been reduced from three to two.

1 Westview is a three-bedroom house located at the edge of the village and directly opposite Long Sutton Primary School. The site is accessed via Somerton Road, a classified B road, and is within the 20mph speed restriction zone for the school. The highway authority has noted that despite this speed restriction that many vehicles passing to the front of this property do so in excess of this limit and that this stretch of road is rather like a transition zone whereby traffic entering the village are still slowing down to the comply with the limit and traffic leaving the village are accelerating. For this reason as well as the sites position opposite the school they are of the view that visibility splays for the revised access should be consistent with those normally asked for in 30 mph zones, i.e. 43m splays in either direction, to ensure that school frontage safety is maintained. Whilst such visibility can be achieved to the south, visibility to the north is approximately 27.5m significantly below the level sought and is therefore deemed to be substandard.

It is acknowledged that these revised access arrangements are an improvement to that existing, however, the proposed additional dwelling will lead to a doubling in the number of vehicle movements coming and going and the highway authority is clear in their opinion that in such circumstances it is essential that an appropriate level of visibility be achieved to safeguard the safety of all road users. As with the previous application, this application is considered to be unacceptable due to the substandard access arrangements.

In addition to the above, the level of parking and turning being provided on-site is also substandard being below the requirements set out within the highway authority's parking

strategy which requires 3 parking spaces for a three-bedroom house, i.e. the existing house, and 2.5 parking spaces for a two-bedroom house, i.e. the proposed house. The proposed scheme includes only two parking spaces per dwelling and on this basis is one space short for the existing house. Further to this, whilst the current scheme only details two bedrooms it would take only very minor alterations (which could not be controlled by condition) to revert the dressing room into a third bedroom which is how it was detailed under the previous application. Bearing this in mind it is perhaps not unreasonable to treat the proposed dwelling as a three-bedroom house in terms of the parking requirements or for the parking requirements to be rounded up rather than down, i.e. to require 3 spaces. On this basis both the existing and the proposed dwelling are to be served by an insufficient level of parking.

It is noted that a turntable has been included to aid on-site turning of vehicles, however, the use and maintenance of this device cannot be secured through condition as it would be almost impossible to enforce, as such its inclusion offers no benefit to the parking and turning arrangements and should not be taken to infer that additional parking might be achievable. Rather the proposed layout and substandard level of parking and turning is likely to lead either to vehicles entering or leaving the site in reverse or to the displacement of parked vehicles on to the highway to the detriment of highway safety and the safety zone for the adjacent school.

Further to the above the applicant has stated that the level of parking being provided complies with that set out within Policy TP7 of the local plan, which sets out a maximum parking level of two spaces. Policy TP7, however, has been largely overtaken by the NPPF, which states that local parking standards should take into account, the accessibility of the development, its type, mix and use, availability and opportunities for public transport, local car ownership levels and the need to reduce the use of high-emission vehicles (para. 39). In response to this advice the highway authority has produced a new parking strategy (first adopted in March 2012) which set new minimum rather than maximum parking standards and generally sets out a higher parking provision for new residential schemes thereby recognising the level of public transport in the district and proportionally high level of car ownership.

For these reasons this application is considered to be prejudicial to highway safety by virtue of the substandard access and insufficient levels of on-site parking and turning, and is therefore recommended for refusal.

Visual amenity

The development generally accords with the pattern of development in the area and its form, character and proposed materials to reflect that of the nearest neighbouring properties. The landscape officer has raised no objection to the proposal and it is considered that provided a landscaping condition is imposed to secure an appropriate planting scheme that the development raises no substantive visual amenity concerns.

Residential amenity

The site of the new dwelling is at the same level as 1 Westview to the south but is raised up above 12 Westview to the rear. The distance from the rear of the new house and No 12 exceeds 30 metres with no direct window to window views between the two houses. Given this relationship and the intervening distance the proposed development should not result in any demonstrable loss of privacy, loss of light or overbearing concerns to the neighbouring property. Both the new dwelling and the existing will be served by an appropriate level of amenity space and there are no overlooking or other general amenity concerns between the two properties.

Drainage

The application site is located in flood zone 1, as such there is no reason to expect the proposed development to be at risk of flooding or to increase flood risk elsewhere.

It is noted that concerns have been raised by the occupant of 11 Westview, one of the properties to the rear of the site, that the development could lead to an increase in drainage problems in the area. They state that the existing sewer converges at their property and in recent times the sewer has become blocked with items that have come down from the houses behind (no's 1 to 6) and are concerned that this additional development may overload the sewer system and cause more problems in the future. The utility company, Wessex Water, has been consulted but raised no objections to the development or capacity concerns in relation to the existing sewage system and there is no evidence to support the neighbour's concerns. It is not considered reasonable therefore to refuse this application for this reason.

Conclusion

The proposed development, given its location close to local facilities and services, is considered to represent a sustainable form of development that raises no demonstrable harm to visual or residential amenity. The proposed access however incorporates a substandard level of visibility and the makes inadequate provision for on-site parking and turning to the detriment of highway safety and school safety zone. For this reason the proposed development is contrary to the aims objectives of the NPPF, Policy ST5 of the South Somerset Local Plan and Somerset County Council's Parking Strategy (September 2013) and is recommended for refusal.

RECOMMENDATION

Refuse permission for the following reason:

01. The proposal has not demonstrated that the proposed access to the B3165 can incorporate the necessary visibility splays, while the site cannot accommodate adequate parking and turning facilities to enable vehicles to enter and leave the highway in forward gear, which are essential to highway safety. The proposal is therefore contrary to the aims and objectives of the National Planning Policy Framework, Policy ST5 of the South Somerset Local Plan and the Somerset County Council Parking Strategy (September 2013).

Informatives:

01. In accordance with paragraphs 186 and 187 of the NPPF the council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The council works with applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions. In this case there were no minor or obvious solutions to overcome the significant concerns caused by the proposal.