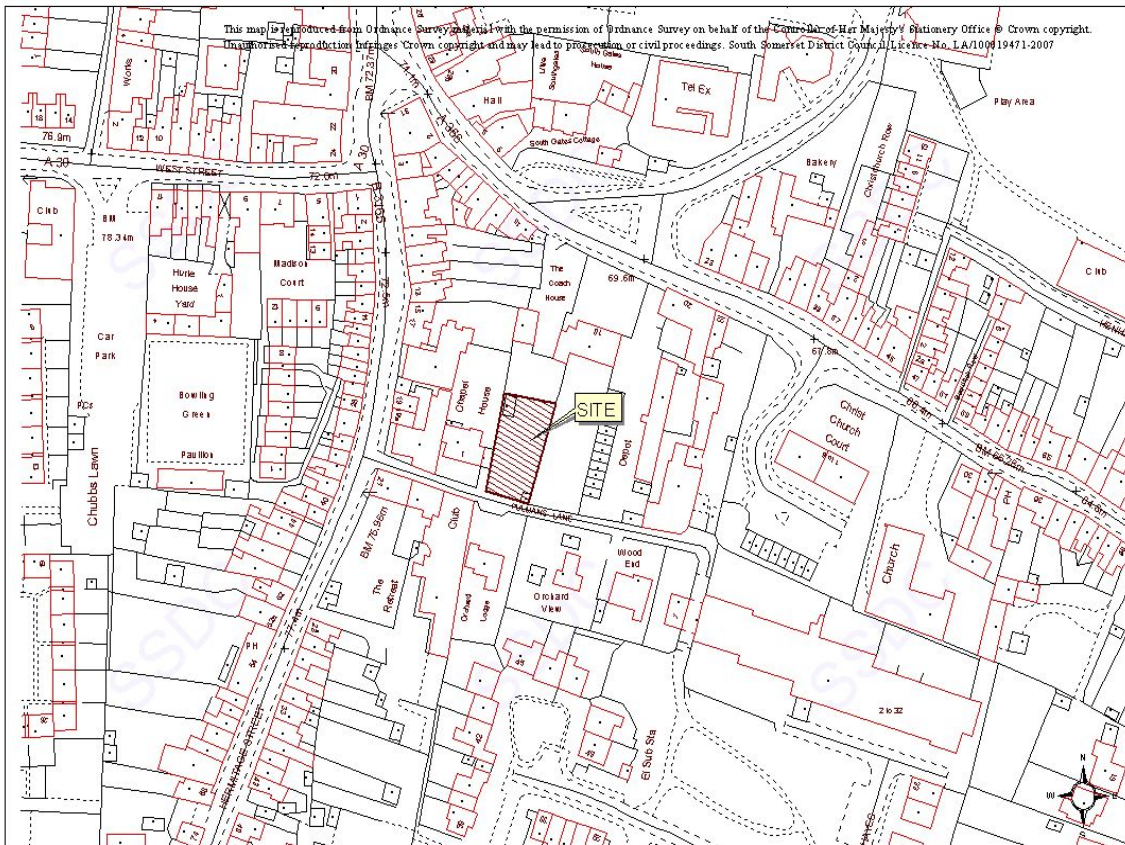


OFFICER: Lee Walton (01935) 462324 [Item 2]
APPL.NO: 07/01101/FUL APPLICATION TYPE: Full Application
PARISH: Crewkerne WARD: CREWKERNE TOWN
DESCRIPTION: The erection of a dwellinghouse and garage (GR 344156/109509)
LOCATION: Land Adjacent The Elms 18 South Street Crewkerne Somerset
APPLICANT: J Boyd
AGENT: Malcolm McCall The Old Bakery Bincombe Lane Crewkerne TA18 7LY
DATE ACCEPTED: 2 March 2007

REASON FOR REFERRAL TO COMMITTEE:

One of the ward members, with the agreement of the Chairman, has asked for this application to be referred to the Committee for members to consider the highway issues.

SITE DESCRIPTION AND PROPOSAL:



The application site is part of the development area and designated part of the conservation area and sits within the curtilage and forms the setting to a listed building.

The proposal seeks the erection of a dwelling house and garage.

PLANNING HISTORY:

07/00148/FUL - Erection of a dwelling house and garage. Withdrawn.

POLICY CONTEXT:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under 54A of the Town and Country Planning Act 1990 and requires that decisions must be made in accordance with relevant development plan documents unless material considerations indicate otherwise.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires - (1) In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Relevant Development Plan Documents:

Regional Spatial Strategy
VIS1 - Expressing the Vision
VIS2 - Principles for Future Development
EN4 - Quality of the Built Environment
EH3 - The Historic Built Environment

Somerset and Exmoor National Park Joint Structure Plan 2000

STR1 - Sustainable Development
STR2 - Towns
9 - Historic Built Environment
Policy 49 - Transport Requirements

South Somerset Local Plan 2006

ST2 - Towns
ST5 - Principle of Development
ST6 - Quality of Development
EH1 - Conservation Areas
EH5 - Setting of Listed Buildings
E3 - Listed Buildings

CONSULTATIONS AND REPRESENTATIONS:

Town Council

Approval.

County Highway Authority

Refuse - substandard access. The access has an excessively steep gradient towards the highway and suffers from restricted visibility to the east due to the high stonewall that fronts the highway. The vehicle access is narrow in width and would not allow for two vehicles to pass at the entrance and as a result may result in vehicles reversing out onto South Street at a point where congestion regularly occurs. The proposal to introduce a dwelling on the site is likely to generate increased traffic use of the substandard access, which would be prejudicial to highway safety.

SSDC Technical Services

No comment.

County Archaeologist

No objection.

Rights of Way

No comment.

Historic Conservation

No objection.

Neighbours

There were 4 neighbour notification letters issued and a site notice posted (conservation area and impact on listed building). There have not been any responses.

PLANNING CONSIDERATIONS:

The current proposal follows an earlier withdrawal that sought to correct earlier conservation objections. In terms of design and general appearance the conservation manager is supportive of the proposal.

Given the constraints of the site resultant from being designated in the conservation area and forming part of the curtilage/setting of a listed building there are limits to the improvements that are possible which address the access considerations raised by the Highway Authority. Their technical observation in terms of highway safety should carry appropriate weight, located near to a road junction on a main road from the south through the town it is considered appropriate to support highway comments in turn.

The applicant has observed that earlier permissions were granted in the face of recommendations to refuse from Highways within the town centre. Notwithstanding this it is now considered imprudent to go against a Highways' technical comment to refuse based on highway safety and given the particular merits of the site and proposal.

RECOMMENDATION:

Application Refused

1. The proposal is contrary to policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review since any increased use made of the existing sub-standard access such as would be generated by the development proposed would be prejudicial to road safety.
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