



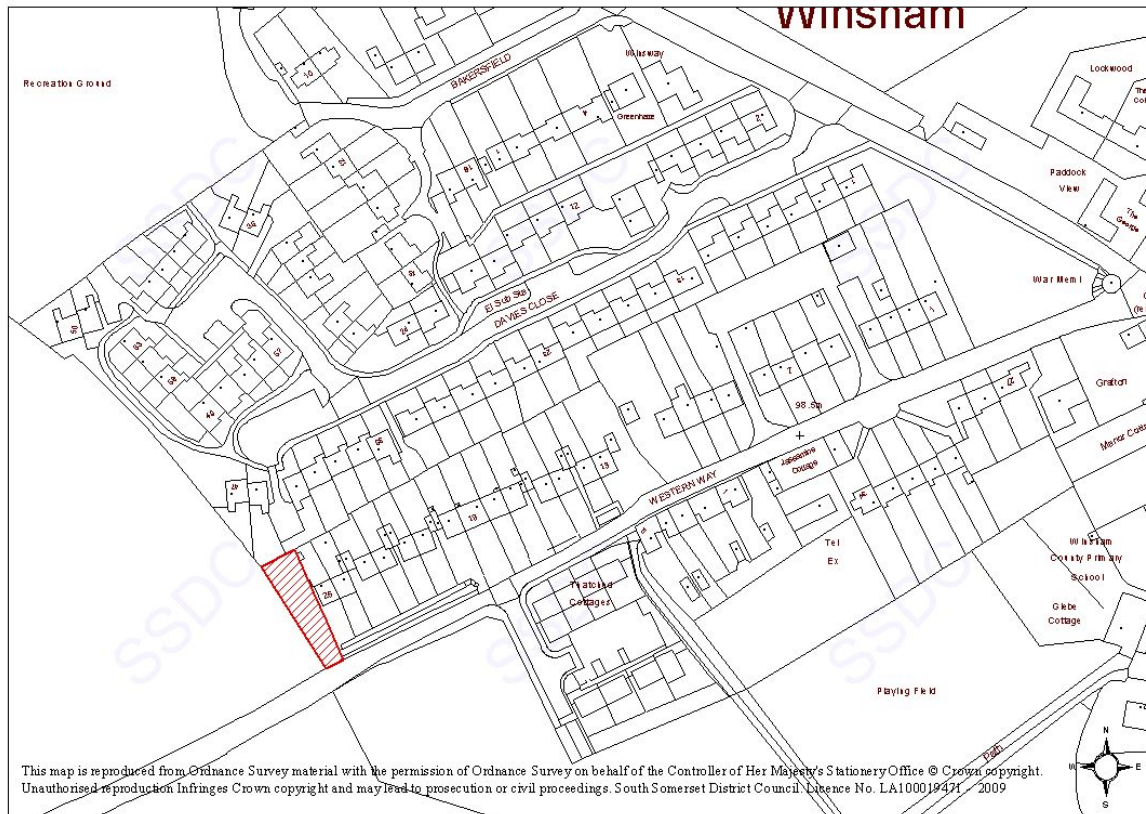
**JOINT AREA COMMITTEES IN SOUTH SOMERSET**  
**Officer Report On Planning Application:**  
**09/01261/FUL**



<b>Proposal :</b>	The erection of a dwelling (GR 337178/106295)
<b>Site Address:</b>	Land Adjacent 26 Western Way Winsham Chard
<b>Parish:</b>	Winsham
<b>Ward : (SSDC Member)</b>	WINDWHISTLE: Mr. R. Munday (Cllr)
<b>Division (SCC Member)</b>	ILMINSTER: Mr. A. Shire (Cllr)
<b>Recommending Case Officer:</b>	Andrew Gunn Tel: (01935) 462192 Email: andrew.gunn@southsomerset.gov.uk
<b>Target date :</b>	26th May 2009
<b>Applicant :</b>	Miss C Beviss
<b>Application Type :</b>	Minor Dwellings 1-9 site less than 1ha

**REASON(S) FOR REFERRAL TO COMMITTEE**

This application has been referred to the Joint Area Committee - West as the applicant is an employee of South Somerset District Council.



**SITE DESCRIPTION AND PROPOSAL**

The site is located on the northern side of and at the far western end of Western Way, Winsham. Residential properties adjoin the site to the east and north, with fields to the west and south. The site currently forms part of the garden of No.26 Western Way. It is mainly grassed, with a shed and greenhouse to the rear. A single storey flat roof extension serving No.26 Western Way, that currently occupies part of the application site, will be demolished to accommodate the dwelling.

The site is elevated above the road and is accessed from the south, off Western Way. A grassed bank is located along the western and southern boundary with a 2 metre high hedge along the rear (northern) boundary.

The application seeks consent for the erection of a detached dwelling to the west of no.26 Western Way. The front of the proposed property will sit in line with No.26 and extend 80cm beyond the rear of no.26 Western Way. The dwelling will have a tiled roof and rendered walls - to match the existing properties along Western Way. The ridge height of the proposed dwelling will match that of the adjacent property. A 1.8 metre high close boarded fence will divide the rear garden of no.26 and the new dwelling. Pedestrian access will be gained from the south via steps linking with the approved parking spaces and existing footpath. The existing path that serves no.26 will be used as a shared path for the new and existing property.

Parking for the property will be provided at the front of the site. An earlier application gave consent for the creation of 4 parking spaces at the front of no.26 Western Way. This new parking area will replace a small parking lay-by area. The parking scheme requires cutting into part of the front garden in order to create a parking area. It will have a width of 11 metres. There will be a retaining wall to the rear with steps up giving pedestrian access to both the existing and new dwelling.

## **HISTORY**

09/00087/FUL - The formation of a parking area. (Approved March 2009).

## **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,

Relevant Development Plan Documents:

Draft Regional Spatial Strategy (RSS) for the South West (Proposed Changes June 2008).

Policy C - Development in Small Towns and Villages.

Policy E - High Quality Design.

Somerset and Exmoor National Park Joint Structure Plan (adopted April 2000)

STR1 - Sustainable Development.

STR3 - Rural centres and villages

Policy 49 - Transport Requirements of New Development.

South Somerset Local Plan (adopted April 2006)

ST5 - General principles of development

ST6 - Quality of Development

TP7 - Residential Parking provision.

South Somerset Sustainable Community Strategy

Goal 8 - High Quality Homes

## **CONSULTATIONS**

*Winsham Parish Council:*

Recommend approval.

*County Highway Authority:*

As I am sure you are aware the Highway Authority in the previous application at the site for the formation of a parking area (09/00087/FUL) raised no objection. In that response to the Local Planning Authority the Highway Authority raised concerns regarding the level of visibility that could be achieved for emerging vehicles at this point.

However, it was noted that vehicles in connection with the existing dwelling, given the lack of any off street parking facilities were forced to park on Western Way. Western Way at this point is restricted in width. As a consequence, the parking of vehicles on the highway not only interrupted the free flow of traffic but also adds to the hazards for all road users. It was therefore felt that on balance the benefits derived from the provision of off street parking facilities to serve the existing dwelling outweighed the concerns regarding the level of visibility achieved and as such no objection to the proposal was raised.

This current proposal is seeking to create an additional dwelling in this location served by the previously approved access/parking area. Whilst the Highway Authority are satisfied that two spaces per unit is adequate there are concerns regarding the intensification of traffic movements at this point. As stated previously, the previous application for the parking area received no objection from the Highway Authority on the basis that there was a benefit to highway safety at this point.

The proposal to introduce an additional dwelling with all associated movements is likely to result in an increase in vehicular movements at this point. The level of visibility achieved from the parking area does not meet the recommended standards given the permitted speed of passing traffic along Western Way.

Therefore, as the proposal if permitted is likely to result in an increase in the use made of the substandard access I would recommend that the application be refused on highway grounds for the following reason:

1. The proposal is contrary to Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review (Adopted April 2000) since the proposed access does not incorporate the necessary visibility splays which are essential in the interests of highway safety.

**REPRESENTATIONS**

1 letter has been received stating that houses have been built in Western Way on a green field and now we are being asked if we want another on green field. The writer asks where will it stop and is the small road big enough to take the extra traffic?

**CONSIDERATIONS**

The main considerations with regard to this application are design, impact on the setting and residential amenity and highway issues.

The proposed dwelling will be a traditional 2 storey building located at the western end of a row of terraced and semi-detached dwellings. Whilst, the proposed dwelling will be detached, it is considered that due to the close proximity to the adjacent dwelling (within 80cm), it will not be viewed as being out of character or out of place in the street scene. The use of render and tiles will ensure the dwelling fits into the existing street scene without causing harm to its setting. Due to an acceptable distance between the proposed and existing properties in Davies Close, the dwelling would not result in any harmful overlooking to any neighbouring property. A first floor obscure glazed window serving a toilet room is currently located on the western elevation of no.26 Western Way. The eastern wall of the new dwelling will be located 80cm from this window. However, as the window serves only a small toilet room, it is not considered that the new dwelling would be overbearing, cause any harmful loss of outlook or loss of light that warrants refusal.

The main issue that has been raised is one of highway safety following an objection from the Highway Authority. Members will note from the comments above that, whilst the Highway Authority is satisfied with the 2 off road parking spaces being provided, concern is raised about increased traffic movements being made from a parking area with substandard visibility. Notwithstanding Highway Authority concerns about the level of visibility, the Highway Authority accepted the provision of the 4 off street parking spaces, granted under an earlier application, as it was concluded that the benefit of off street parking outweighed visibility concerns.

The applicant has stated in the supporting text that when the Highway Authority assessed the parking application, they were satisfied with the level of visibility achieved to the south-west but were concerned about the visibility achieved to the north-east due to the earth bank. Moreover, the applicant has submitted photographs showing the removal of a small section of bank at the front of the property stating that this provides adequate visibility. However, notwithstanding the applicant's documentation, the Highway Authority has concerns about the increased use of the parking area with a below standard visibility splay and therefore recommend refusal of the application.

In response to the comments received from a neighbouring property, it is assumed that the reference to housing built in Western Way on green field land is in relation to the 8 dwellings approved in 2006 for Hastoe Housing Association. Those dwellings were allowed outside of the defined development area, on the southern side of Western Way, in accordance with the rural housing exception policy, where a rural housing need has been proven. This current application for 1 dwelling is very different in planning terms from the Hastoe application in that the current site is located within the defined development area of Winsham and, as a garden area is defined as previously developed land. In relation to the concern about whether Western Way is capable of taking the additional traffic, the Highway Authority has assessed the application and whilst an objection is raised in terms of increased use made of a substandard visibility splay, they have not raised an objection in highway capacity terms.

#### **SECTION 106 PLANNING OBLIGATION/UNILATERAL UNDERTAKING**

Not applicable to this application.

#### **RECOMMENDATION**

Refuse.

The proposal is contrary to Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review (Adopted April 2000) since the proposed access does not incorporate the necessary visibility splays which are essential in the interests of highway safety.

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