

Area West Committee – 19th September 2012

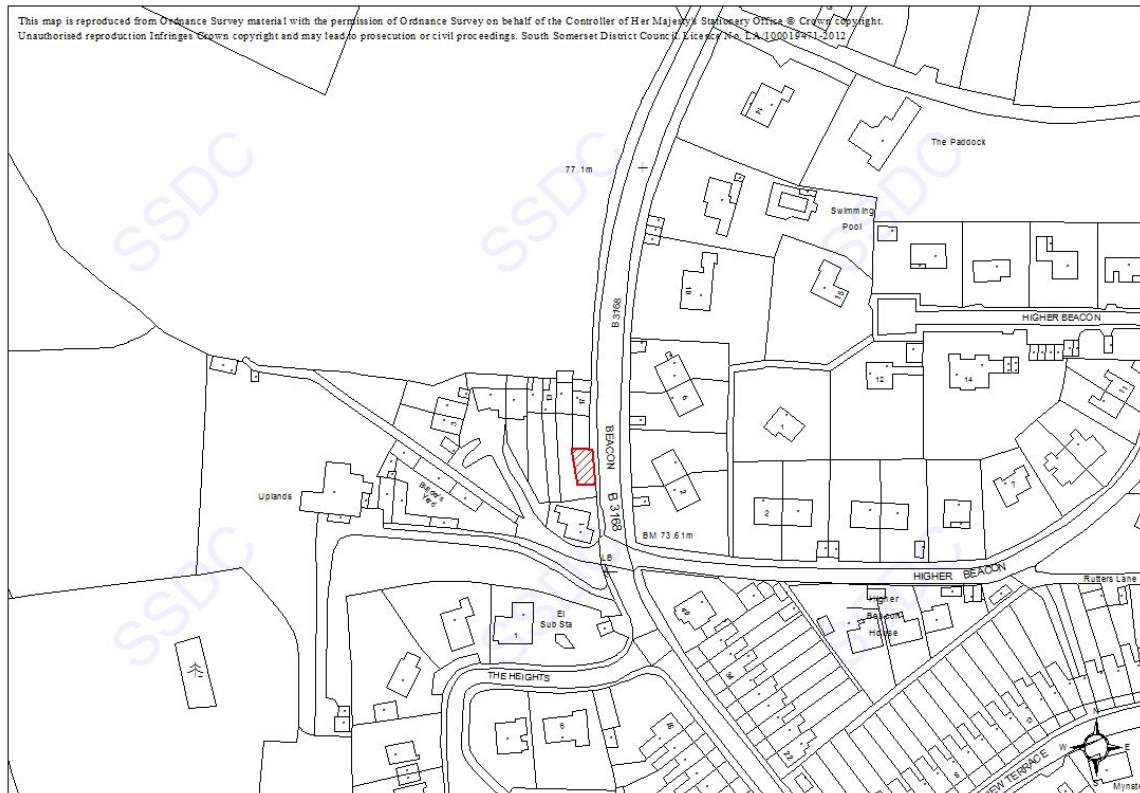
Officer Report On Planning Application: 12/01946/FUL

Proposal:	Formation of new access and parking (GR 335647/114990)
Site Address:	17 The Beacon Ilminster Somerset
Parish:	Ilminster
ILMINSTER TOWN Ward (SSDC Member)	Carol Goodall (Cllr) Ms. K T Turner (Cllr)
Recommending Case Officer:	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
Target date:	23rd July 2012
Applicant:	Mr Trevor Broom
Agent: (no agent if blank)	
Application Type:	Other Householder - not a Change of Use

REASON(S) FOR REFERRAL TO COMMITTEE

The application is to be considered by Area West Committee, having been deferred at the last meeting of 15th August 2012. It is before Committee at the request of the Ward Members, with the agreement of the Area Chair. It is felt that the application should be given further consideration by members, to consider the potential impact of the proposed development on highway safety along a classified road.

SITE DESCRIPTION AND PROPOSAL



The application relates to a rectangular shaped area of land, measuring approximately 6m by 10m, to the front of 17 The Beacon, an end of terrace cottage, located on the west

side of The Beacon. The land in question fronts the adjoining highway, which is a classified 'B' road (B3168) and is separated from the remainder of the domestic land associated with 17 The Beacon by a public footpath running northwards from The Beacon and beyond the adjoining properties. The site is partially enclosed by a gate, but is otherwise open fronted and has until recently been used as off-street parking for the occupiers of 17 The Beacon. There was previously a hedge enclosing the remainder of the land, possibly with a fence behind.

The application is made to provide vehicular access and parking on the site.

HISTORY

12/01621/FUL: Alterations and erection of a two-storey extension with balcony - Approved with conditions.

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

Somerset and Exmoor National Park Joint Structure Plan:
STR1 - Sustainable Development
Policy 49 - Transport Requirements of New Development
Policy 51 - Road Hierarchy

South Somerset Local Plan 2006:
ST5 - General Principles of Development
ST6 - The Quality of Development

Policy-related Material Considerations

National Planning Policy Framework (March 2012):
Chapter 4 - Promoting Sustainable Transport

CONSULTATIONS

Town Council: No objections.

SSDC Technical Services: No comment.

County Highway Authority: 2nd July 2012: The proposed development would result in the creation of parking area and the dropping of the footway to allow vehicle access.

The proposed access will be created from the B3168, which is designated as a County Route under Policy 51 of the Somerset and Exmoor National Park Joint Structure Plan (The Structure Plan) and is a Class 2 highway under the road classification. Policy 49 of the Structure Plan states that direct access onto a County Route should be strictly prohibited unless there is an overriding need or benefit to do so. As a consequence the Highway Authority would usually raise objection to any proposal, which would depart from this policy.

However, it is apparent that the proposed development would create off road parking for vehicles, which are currently parked on the adopted highway. In addition it is apparent from visiting the site that a number of properties in the vicinity of the site have direct access from The Beacon. As a consequence it may be considered acceptable to allow the creation of this new access.

In terms of the detail the proposed parking area would need to be properly consolidated and surfaced. It should be noted that this should not include loose stone or gravel as this could present a potential highway risk to other road users if it were to be deposited on the highway. It is apparent from no drainage information has been submitted. A suitable drainage system would need to be provided to alleviate any concerns over surface water discharge onto the adopted highway. The proposal would also include the dropping of the kerbs on The Beacon and creating a vehicle cross-over. This would need to be carried out under licence from the Area Highway Office for South Somerset.

Therefore based on the above information I raise no objection to this proposal and if planning permission were to be granted I would require the following conditions to be attached:

- The access hereby permitted shall not be brought into use until drop kerbs have been installed at the carriageway edge and a vehicle cross-over constructed across the footway fronting the site for the width of the access.
- The proposed parking area shall be properly consolidated and surfaced access shall be constructed (not loose stone or gravel) details of which shall have been submitted to and approved in writing by the Local Planning Authority.
- Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority.

NOTE:

Having regard to the powers of the Highway Authority under the Highways Act 1980 the applicant is advised that the creation of the new access will require a Section 184 Permit. This must be obtained from the Highway Service Manager, Area Highway Office for South Somerset, Mead Avenue, Houndstone Business Park, Yeovil, Tel No. 0845 345 9155. Application for such a permit should be made at least four weeks before access works are intended to commence.

17th July: Further to your e mail dated 16th July 2012 I have the following response in regards to the comments raised.

The attached resident e mail raises concerns over the creation in the drop kerbs resulting in a loss of on street parking. It should be noted that technically no one has the right to park on the adopted highway (unless it is in a specific residential parking zone). As a consequence this application was viewed by the Highway Authority on the bases that it would result in the creation of an off-road parking area, which would remove cars from parking on the adopted highway which would be seen as a benefit to highway safety.

REPRESENTATIONS

The application has been advertised by site notice for the requisite period. The following responses have been received:

- 2 letters from neighbouring residents objecting to the proposal on the basis of loss of on street parking for existing residents with no alternative but to park on the public highway and the impact on highway safety as a result of additional vehicles reversing onto The Beacon, which is a busy classified road with cars already parked either side of the highway. Both of these neighbours make reference to having no objection in principle to one off street parking space being created.

CONSIDERATIONS

The proposal is made for the provision of a formal access off the B3168, with associated off-street parking in association with 17 The Beacon. The main considerations will be the impact on visual amenity of the area, residential amenity of neighbouring residents and highway safety. The submitted plans show two parking spaces marked, however the width of the parking area and access point is just over 8m, allowing space for up to three vehicles to park off road.

Firstly it is not considered that the proposal will cause any adverse impact in terms of visual appearance and residential amenity. With the exception of providing a properly consolidated surface and possibly levelling off part of the site, there will be no difference to existing and also the site is at an adequate distance from adjoining residential premises to avoid impact on residential amenity.

The main concern is the impact on highway safety as the application is for parking straight off the public highway, with no turning provision on site and also the loss of parking spaces on The Beacon. Objections have been received from two neighbouring residents, advising that many of the neighbouring properties have no access to off-street parking and are reliant on parking on the highway. They are therefore concerned about the impact the proposed development would have on highway safety as a result of increased pressure to park on the highway and also as a result of potential for up to three vehicles being able to reverse onto the classified highway at this point. In this case, the County Highway Authority have commented but chosen to raise no objection. It is noted that the access is onto a classified 'B' road and as such there would usually be a requirement for turning on site but the Highway Authority are of the view that the proposed access will be similar to several accesses in the vicinity of the site, including one immediately to the south. It is also considered that local highway safety could be improved by the removal of cars, currently parked on the adopted highway.

For the above reason, it is not considered that the proposed development will have a detrimental impact on highway safety at this point. As such, the recommendation to Members is to approve planning permission.

RECOMMENDATION

Approval with conditions

01. The proposal, by reason of its size, scale and materials, respects the character of the area and causes no unacceptable harm to residential amenity or highway safety, in accordance with the aims and objectives of policies STR1 and 49 of the Somerset and Exmoor National Joint Structure Plan, saved policies ST5 and ST6 of the South Somerset Local Plan 2006 and the provisions of chapter 4 of the National Planning Policy Framework.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

02. The development hereby permitted shall not be carried out otherwise than in complete accordance with the following approved plan: '1:500 Site Plan', received 28th May 2012.

Reason: For the avoidance of doubt as to the development authorised and in the interests of proper planning.

03. The proposed access and parking area shall be properly consolidated and surfaced (not loose stone or gravel), details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such approved details shall be provided before the development hereby permitted is first brought into use.

Reason: In the interests of highway safety, in accordance with policy 49 of the Somerset and Exmoor National Joint Structure Plan and saved policy ST5 of the South Somerset Local Plan.

04. Provision shall be made within the site for the disposal of water so as to prevent its discharge on to the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such approved drainage details shall be completed and become fully operational before the development hereby permitted is first brought into use. Following its installation such approved scheme shall be permanently retained and maintained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety, in accordance with policy 49 of the Somerset and Exmoor National Joint Structure Plan and saved policy ST5 of the South Somerset Local Plan.

Informatives:

01. Having regard to the powers of the Highway Authority under the Highways Act 1980 the applicant is advised that the creation of the new access will require a Section 184 Permit. This must be obtained from the Highway Service Manager, Area Highway Office for South Somerset, Mead Avenue, Houndstone Business Park, Yeovil, Tel No. 0845 345 9155. Application for such a permit should be made at least four weeks before access works are intended to commence.
02. The access hereby permitted should not be brought into use until drop kerbs have been installed at the carriageway edge and a vehicle cross-over constructed across the footway fronting the site for the width of the access.