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## Appeal Decision

Site visit made on 17 December 2012

by **Simon Miles BA(Hons) MSc MRTPI**

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

Decision date: 18 December 2012

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**Appeal Ref: APP/R3325/A/12/2186432**

**17 The Beacon, Ilminster, Somerset TA19 9AH**

- 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 Trevor Broom against the decision of South Somerset District Council.
  - The application Ref 12/01946/FUL, dated 8 May 2012, was refused by notice dated 27 September 2012.
  - The development proposed is formation of new access and parking.
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### Procedural Matter

1. The description of the proposed development, as given above, is taken from the Council's decision notice, as this is more accurate than that given on the application form.

### Decision

2. The appeal is dismissed.

### Main Issue

3. This is the effect of the proposed development on highway safety.

### Reasons

4. The appeal relates to a proposal to form a new vehicular access and parking area to a property adjoining The Beacon, the B3168 County Route. In such cases saved Policy ST5 of the adopted South Somerset Local Plan 2006 and saved Policy 49 of the adopted Somerset and Exmoor National Park Joint Structure Plan Review 2000 seek to ensure safe and satisfactory access by various means. These include resisting direct access from a County Route unless an exception is warranted by reason of special need or other benefit.
  5. In this case the proposal would create off-road parking for vehicles currently parked on the highway, thereby reducing the amount of cars parked in the road. However, it seems to me that the effect of this would be broadly neutral, as the benefit of removing cars from the highway would be offset by a reduction in the amount of on-street parking space. The proposed new access would create a gap in the frontage but would not, in my estimation, significantly improve visibility along this section of the road.
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6. Moreover, the introduction of a further access would increase the potential for conflicting and confusing vehicle movements along a designated County Route. I perceive this to be a particular problem given that there would be insufficient space for vehicles to turn on the site, leading to potentially dangerous reversing manoeuvres in the road. These circumstances do not amount to the special need or benefit required to justify making an exception to the Council's adopted policies.
7. In reaching this view, I acknowledge various existing accesses and garages that have direct access from the road and also lack turning facilities. However, I have little detailed information about the history and circumstances of these other cases, which do not of themselves provide a compelling reason to set aside the policy requirements. The fact that the area may not have a history of accidents does not preclude the possibility of accidents in the future. Nor does it remove the need to minimise the danger posed to road users in accordance with the policies set out above.
8. This leads me to conclude that the proposed development would have a significant adverse effect on highway safety, in contravention of the above-mentioned policies. The proposal further conflicts with the National Planning Policy Framework to the extent that this is concerned to deliver safe and secure development, which minimises conflict between traffic and other road users.
9. In other respects, although the application was recommended for approval, this was clearly a balanced judgement. Overall, in view of my findings, I find that the balance in this case weighs against approval. Therefore the appeal does not succeed.

*Simon Miles*

INSPECTOR