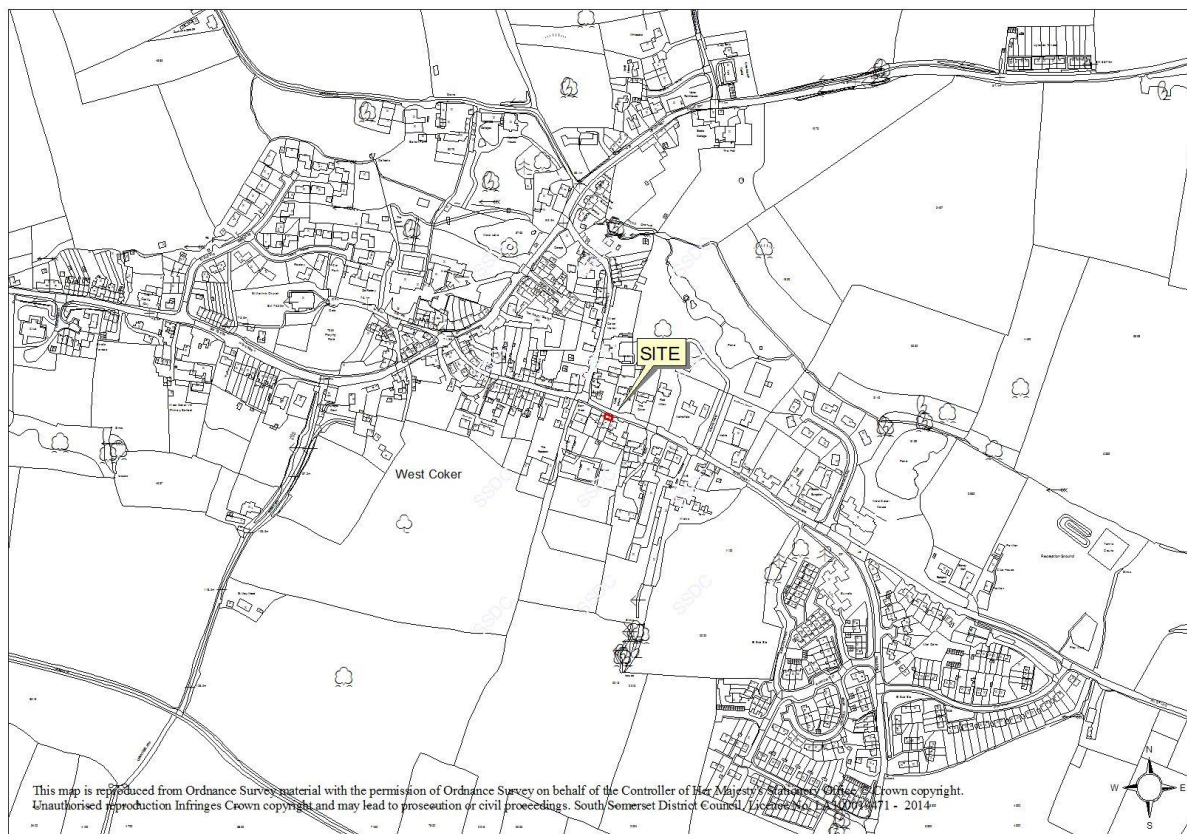


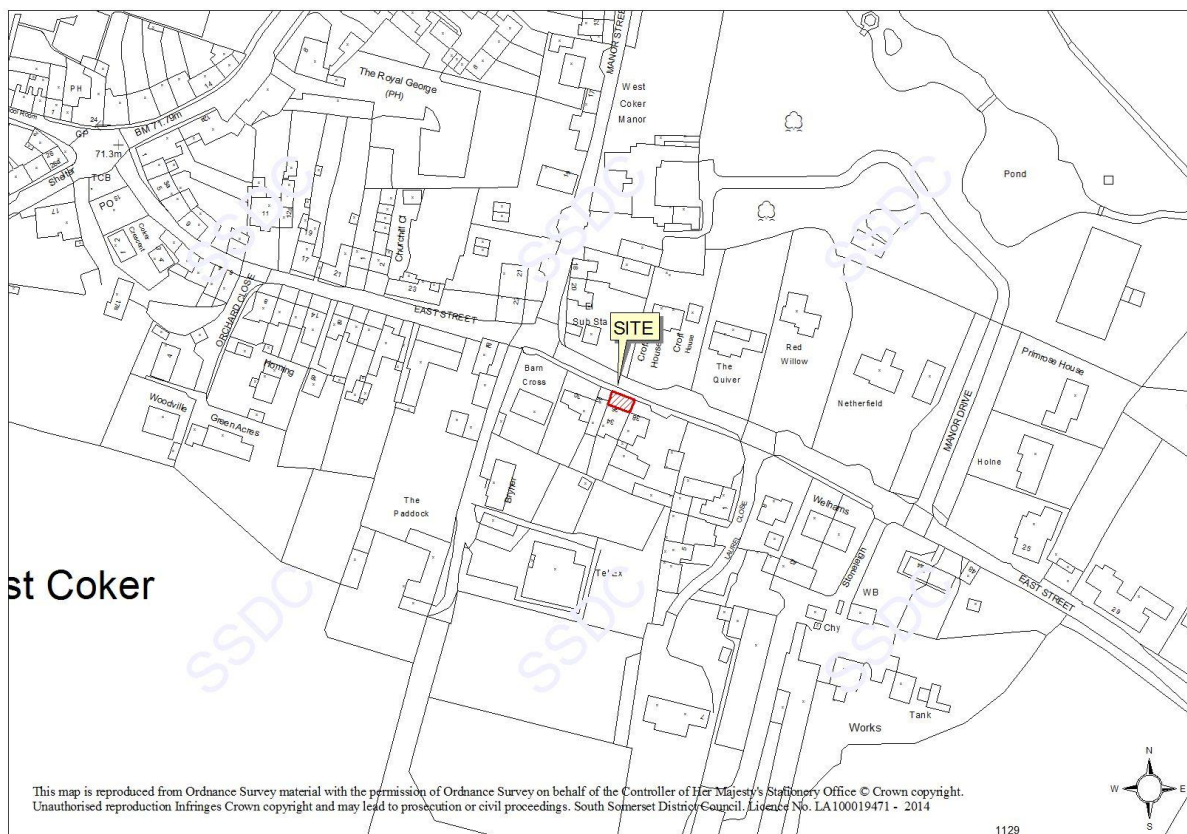
Officer Report On Planning Application: 13/04953/FUL

Proposal :	The formation of a vehicular access and hardstanding (GR 351978/113435)
Site Address:	34-36 East Street West Coker Yeovil
Parish:	West Coker
COKER Ward (SSDC Member)	Cllr G Seaton Cllr Cathy Bakewell
Recommending Case Officer:	Mrs Jennie Roberts Tel: (01935) 462441 Email: jennie.roberts@southsomerset.gov.uk
Target date :	8th April 2014
Applicant :	Mr James Cook
Agent: (no agent if blank)	
Application Type :	Other Householder - not a Change of Use

Reason for Referral to Committee

This application has been brought before committee because the ward members' views are contrary to the officer's recommendation of refusal. They consider that whilst the site is within a conservation area, priority should be given to the removal of parked cars from the highway, which they consider will be of particular benefit to pedestrians and cyclists in safety terms. The Area Chairperson has accepted this rationale.

Site Description and Proposal



The site is located on East Street, which is situated within a conservation area in the village of West Coker, and comprises a mid-terraced cottage and its gardens. The cottage is situated on higher ground than the road.

This part-retrospective application proposes to form a parking space and lower the kerb to allow vehicular access to the front of the property. The small front garden has been excavated to bring it down to road level, and a retaining wall and steps created just in front of the cottage. A 2.8m wide section of 1.2m high stone boundary wall has been removed to allow access from the highway into the lowered garden area. It is then planned to lower the kerb outside the property.

The applicant states that there is a major parking issue in this area, and that by providing this parking space, it would alleviate the parking issue for this property and help the situation for other road users in the area.

HISTORY

13/01228/FUL - The carrying out of external alterations to include the removal of front dormer window and the installation of replacement front windows - conditional approval - 19/03/2013

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.

Following the recent revocation of the Regional Spatial Strategy and the Somerset and Exmoor National Park Joint Structure Plan Review regard needs to be had to the

development plan policies of the saved policies of the South Somerset Local Plan (2006).

South Somerset Local Plan (adopted 2006)

EH1 (Conservation Areas)

ST5 (General Principles of Development)

ST6 (Quality of Development)

Regard must also be had to:

National Planning Policy Framework - March 2012

Chapter 7 - Requiring good design

Chapter 12 - Conserving and enhancing the historic environment

Somerset Parking Strategy (2012)

CONSULTATION

PARISH COUNCIL: No objection

CONSERVATION OFFICER: Recommends refusal: Proposal is harmful to the character and appearance of the conservation area.

HIGHWAY AUTHORITY: Standing advice applies. Also, the Highway Authority advised that it takes the same approach to this application as it took for planning application 13/04647/FUL, at no. 30 East Street, West Coker. This advice was as follows: "Consider recommending refusal as visibility cannot be achieved and highway safety concern at arrangement."

REPRESENTATIONS

None received

CONSIDERATIONS

Conservation area

The conservation officer's consultation response is as follows:

"Lots of work has already been carried out here, such as the removal of much of the garden and the demolition of areas of the front wall to make an opening wide enough to park a car in the front garden.

Previously the wall had a small pedestrian sized opening. The lengths of wall either side provide a traditional sense of enclosure to the edge of the street. Boundary walls in this area are a strong component of the conservation area's character. Enlarging the opening in this manner and excavating much of the garden is harmful to this traditional local character. The proposal is therefore considered to be harmful to the character of the area.

I appreciate that there are safety concerns about parking on the road here. However this piecemeal approach, without any restrictions of on road parking will not address the local concerns. For example in this case there is no restriction in the occupier of the property owning two cars and parking one in the new parking space and one in the road. For us to accept a harmful alteration such as this we need to be sure that there is clear public benefit in accordance with para. 134 of the NPPF. The proposal benefits the owner of the property, but there is no wider benefit to other residents or the safety of road users. I therefore recommend refusal.

If you are mindful to approve this scheme then the retaining wall within the garden should be faced in natural stone."

With the above in mind, it is considered that the proposal is detrimental to the character and appearance of the conservation area, and as such, the application should be refused.

As described above, there was initially a small opening in the boundary wall to allow pedestrian access. Planning permission is required for the additional section of wall that has been removed and for the engineering works involved in lowering the garden level. Depending on the outcome of this application, there may be a potential enforcement issue here, seeing as these works have already been carried out.

Following the resolution to grant permission for planning application 13/04647/FUL (construction of lay-by at 30 East Street, West Coker), a meeting, facilitated by Area Development, was held on site with the conservation officer and planning officer to consider whether a comprehensive scheme for the provision of off-road parking for the entire terrace of houses would be possible. However, it was felt that this was unviable.

Highways

The Highway Authority was consulted on the application, and initially responded with 'Standing Advice applies'. It then followed this up by referring to planning application 13/04647/FUL (parking bay at 30 East Street, West Coker), and saying, "Please assume the same approach to this application". The advice given here was as follows: "Consider recommending refusal as visibility cannot be achieved and highway safety concern at arrangement."

The Standing Advice referred to above, is a document produced by Somerset County Council, entitled, 'Highways Development Control - Standing Advice', published 01/06/2013. It provides standard comments for planning applications. The relevant issues for this application are visibility and turning. The Standing Advice requires visibility splays ("which are essential for highway safety") to be provided at private drives, with no obstruction above 900mm. This application provides no visibility splays. The Advice also requires that turning facilities are provided to enable a vehicle to enter and leave the highway in forward gear, "which is essential to highway safety". This application provides no such turning space.

With the above in mind, it is considered that the proposal is detrimental to highway safety, as adequate visibility and turning cannot be provided.

There is no fallback position, as there is no prospect of parking being provided elsewhere on the property.

Residential amenity

It is considered that the proposal would have an acceptable relationship with neighbouring properties.

Conclusion

Whilst the proposal is felt to have an acceptable relationship with neighbouring properties, it is considered that it is detrimental both to the character and appearance of the conservation area, and to highway safety. As such, it is recommended that the application be refused.

RECOMMENDATION:

Refuse permission for the following reason:-

01. The demolished section of wall was a high quality boundary wall, which is significant to the character of the conservation area. The wall, along with many others in this area, gave a good traditional definition to the edge of the plot and a strong character to one of West Coker's best historic streets. The removal of the

wall and formation of a parking space will be/is most harmful to this existing character, and will set a poor precedent to other property owners in the vicinity. As such, the proposal will have a harmful effect on the character and appearance of the conservation area, contrary to the provisions of saved policies ST5, ST6 and EH1 of the South Somerset Local Plan (adopted 2006) and the National Planning Policy Framework (2012).

02. The proposed access/parking space does not incorporate the necessary visibility splays which are essential in the interests of highway safety. Furthermore, the site cannot accommodate adequate turning facilities to enable a vehicle to enter and leave the highway in forward gear, which is essential to highway safety. As such, the proposal is contrary to saved policy ST5 of the South Somerset Local Plan (adopted 2006) and the National Planning Policy Framework 2012.

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 the applicant went against the pre-application advice that was provided to him by the conservation officer.