The Planning Inspectorate

Appeal Decision

Site visit made on 18 January 2017

by Andy Harwood CMS MSc MRTPI

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

Decision date: 08 February 2017

Appeal Ref: APP/Q3305/W/16/3158639
8 Park Close, Street, Somerset BA16 0JW

- 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 S Tidball against the decision of Mendip District Council.
- The application Ref 2016/1180/FUL, dated 9 May 2016, was refused by notice dated 7 July 2016.
- The development proposed is the erection of a pair of semi-detached dwellings within the side garden of 8 Park Close.

Decision

1. The appeal is dismissed.

Procedural Matters

2. The appellant has submitted a revised block plan with this appeal. This excludes the 1.8m timber fence enclosing the indicated off road parking space for plot 1 as was shown on the original block plan. To consider revised plans could deprive those interested in the appeal from having an input into the appeal. I will therefore deal with the appeal on the basis of the original block plan ('2016/01/03b').

3. Furthermore the parking spaces shown on both versions of the block plan and part of the fence adjoining them are not all clearly within the red application site boundary shown on the submitted 1:1250 scale site location plan. In the absence of confirmation of the extent of the site boundary on the 1:200 block plan, I cannot consider development outside of the application site although can give consideration to the use of planning conditions on the appellant's land.

Main Issue

4. The main issue is the effect of the proposal in relation to parking with respect to highway safety and the accessibility of the site.

Reasons

5. The appeal site is an area of land to the side of No 8 Park Close and in front of the other residential buildings, at the end of a turning head on a cul-de-sac. This is a pleasant, modern residential area. Many of the houses in this road have parking to the front next to landscaped garden areas.

6. The Mendip Local Plan[1] (LP) policy DP10 relates to parking standards which are in turn set out within the County Parking Strategy[2] (PS). The PS has been updated since the publication of the National Planning Policy Framework (the Framework). When assessing what is an appropriate level of parking provision LP policy DP10 states that regard will be had to the objectives of reducing growth in the use of private vehicles and promoting alternative means of travel. It also states that on-site provision is needed to prevent problems of highway safety, congestion or visual intrusion in the vicinity of the site.

7. The site is within, according to the appellant, an amber zone where 1.5 spaces as well as visitor parking are required for the single bedroom dwellings. Note A on page 62 of the PS refers to the standards as being optimum which should be provided unless specific local circumstances can justify deviating from them. This is consistent with what paragraph 6.88 of the LP says about applying the standards flexibly.

8. Street is one of the larger settlements within the Council's area. I took the opportunity whilst on site of walking into the centre of the town which took me around 10 minutes. The walk is over gentle gradients and generally good footpaths. The site is therefore accessible on foot as well as by bicycle. There are bus stops in Middle Leigh a nearby main road to provide access to other areas. The site is within reach of a good range of services without reliance on private vehicles. I consider that there is scope to apply the parking standards with some flexibility.

9. However, although 2 spaces are shown for proposed plot 2, 1 of those is an existing space on the road. If the off-road parking space was to be implemented, it would in effect prevent the use of the on-road space by anybody other than the occupants of plot 2. In terms of providing further parking, I could consider applying a condition to require a parking scheme on other land within the appellant's ownership. The block plan shows 1 way of potentially achieving 3 off-road spaces. However, these would not provide 3 additional spaces as the use of these would also interfere with space that is currently available for parking on the side of the road. It is not clear what net increase in parking could actually be achieved by providing parking spaces in this way.

10. I have very little evidence about the levels of parking generally in the area and whether that manifests in vehicles being parked in unsafe locations at the moment. I visited late in the morning of a weekday and there was very little on-road parking but what I saw was only a snap-shot in time. From the limited information provided to me I cannot know whether additional parking as result of the proposed dwellings could be accommodated safely at times when there may be more cars parked. The parking standards would not be met and it is not clear how safe the potential additional parking as a result of this proposal would be.

11. In relation to the main issue, it has not been demonstrated that the level of off street parking would be adequate and this proposal could therefore lead to unsafe highway conditions even though the site is accessible to a good range of services without reliance upon private vehicles. This would not comply with LP

[1] The Mendip and District Local Plan, Part 1:Strategy and Policies 2006-2029, adopted December 2014
[2] September 2013 Somerset County Council Transport Policies Parking Strategy

policies DP9 and DP10 which are supported by paragraph 32 of the Framework which requires safe and suitable access is achieved for all people.

Other Matters

12. A previous planning permission has been referred to for a single dwelling on the same land that includes the appeal site. That decision was made in 2012, prior to the adoption of the LP. The previous version of the Parking Strategy set similar standards however a single dwelling would have different parking demands than the 2 dwellings proposed at this time.

13. An additional dwelling in this accessible location would provide a benefit to the supply of housing but this does not outweigh my conclusion on the main issue.

Conclusion

14. For the reasons given above and having considered all other matters raised, I conclude that the appeal should be dismissed.

Andy Harwood

INSPECTOR