



Appeal Decision

Site visit made on 23 July 2019

by Tobias Gethin BA (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 August 2019

Appeal Ref: APP/H3320/W/19/3225541

Land at West Street, Watchet, Somerset TA23 0BQ

- 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 The Really Practical Design Co Ltd against the decision of Somerset West and Taunton Council.
 - The application Ref 3/37/18/019, dated 27 June 2018, was refused by notice dated 7 March 2019.
 - The development proposed is described as construction of a house on land at West Street, Watchet.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. On 1 April 2019, West Somerset District Council merged with Taunton Deane Borough Council to become a Unitary Authority, Somerset West and Taunton Council. Until such time as they are revoked or replaced, the development plans for the merged local planning authorities remain in place for the area within the unitary authority which they relate to. It is therefore necessary to determine this appeal with reference to the plans produced by the now dissolved district council.

Main Issue

3. The main issue is whether the proposed development is acceptable in the absence of on-site parking.

Reasons

4. Policy T/8 of the West Somerset District Local Plan 2006 (WSDLP) requires, amongst other aspects, the provision of car parking at residential sites in accordance with Appendix 4, Table 4 unless it can be demonstrated that shared car parking, public transport or other means can reduce the need for visitor parking. The Council indicates that Appendix 4 sets out that two car spaces are required for a dwelling. However, the Somerset County Parking Strategy has superseded this figure, instead requiring a maximum optimum of 2.5 car parking spaces for three bedroom dwellings, such as the appeal proposal.
5. There has been a number of planning applications for residential accommodation at the appeal site, and outline permission was granted at appeal (Ref APP/H3320/A/14/2225365) in 2015 for a similar development to

this appeal proposal. Although that permission has now lapsed, it is a material consideration to which I give significant weight.

6. The absence of on-site parking was a main issue in the previous appeal and the same parking standard and policy remain in place now. The Inspector for that appeal found that the specific local circumstances at that time – including to the site's location relative to shops and services and the availability of nearby parking provision – justified a deviation from the Council's parking standards and rendered that scheme acceptable. However, the evidence before me indicates that there has been a significant change in local circumstances since that appeal decision, with the nearby West Street car park, which provides parking for residents and is controlled by a barrier, being full and no longer having spaces available. At the time of the Council's decision on this appeal proposal, the Clerk to Watchet Town Council indicated that there was a waiting list of 11 applicants for spaces in the West Street car park.
7. I do not have the full details of the previous appeal proposal, and I am not certain what evidence was submitted with that appeal, including in relation to the services and facilities in Watchet and public bus services at that time. I recognise that various aspects may also not have changed, such as the characteristics of nearby footways. However, representations from neighbours indicate that there have been some changes to services and facilities in Watchet since the previous appeal decision, such as closure of the bank, and there is no longer the passing 'Webber' bus service. I have little evidence on the level, frequency and destinations of bus services in the area now, and I did not observe any bus stops in the vicinity of the site at the time of my site visit. The evidence before me therefore points to there now being fewer facilities and services available to occupiers of this appeal proposal and their visitors than compared with when the previous appeal was determined. I note that the stream train service at Watchet also only runs in the summer and autumn. Accordingly, it seems to me that the train is geared more towards tourism and does not provide residents and their visitors with a viable, accessible alternative to the car.
8. It has been put to me that the site is in a sustainable location, existing residents in nearby properties use the public footpath to access their properties, future occupiers of the development could live quite happily without a car, the dwelling would only be bought or rented by someone who is happy with the lack of on-site parking and no one will be forced to live there. Albeit involving relatively narrow, intermittent footways and limited street lighting, I recognise that the site is also a short walk from the various services and facilities in Watchet, and that this would serve to reduce the need for a car. Future occupiers could also choose not to have a car, and cycle parking would be provided in accordance with part iii of WSDLP Policy T/8.
9. Be that as it may, I am mindful of the fewer services, facilities and public transport options that Watchet now has compared with when the previous appeal was determined. The local topography, the relatively narrow highway and the steps near the site indicate that it would not be particularly conducive for occupiers and visitors to access the site by cycle. It seems reasonable to me to expect that a three-bedroom dwelling could also accommodate a family. Accordingly, although some households do cope without a car, it seems to me that future occupiers would be likely to have at least one car and that visitors,

given the cycling and public transport options, would also often be likely to travel by car.

10. I acknowledge that occupiers of the development might be able to obtain a space in the West Street resident car park in the future. However, I have little substantive evidence that future occupiers would actually be able to do so, and in any event the number of people on the waiting list could mean a lengthy wait for future occupiers of the development to obtain a space there. Consequently, the development would be likely to result in an increase in demand for the limited number of on-street parking spaces on West Street, which I observed on my site visit were well-used and surrounded by a number of properties with generally limited off-street parking provision. Future occupiers and their visitors would therefore be likely to need to frequently park further afield, such as in Market Street car park. However, that car park is some distance away and would involve walking further along a relatively narrow, sloping highway, on intermittent footways with limited street lighting.
11. The Council has not specifically detailed what harm they see arising from the development. Nevertheless, it is clear to me that the lack of on-site parking and lack of available space in the nearby resident-only car park would be likely to result in increased vehicle manoeuvres on the relatively narrow highway as future occupiers and their visitors search for a space to park. This could hinder the free flow of vehicles and create a hazard for other highway users. It is likely that the limited on-street parking available near the site would mean that occupiers and their visitors would also often have to park further away from the site. They would therefore have to regularly negotiate the intermittent and relatively narrow footways, which are not particularly safe.
12. Part ii of Policy T/8 allows for a contribution towards improving deficiencies in public transport, cycleways or pedestrian facilities associated with the development where a reduced level of car parking is appropriate. The Council has not indicated what such a contribution may entail and the appellant has not provided a contribution. However, for the reasons above and based on the evidence before me, a contribution would not be acceptable in any event because a reduced level of parking, involving no on-site spaces, would not be appropriate on the basis that it has not been demonstrated that shared car parking, public transport or other means can reduce the need for visitor parking. Consequently, a condition securing such a contribution would not comply with policy nor overcome the harm. I therefore conclude that the development would not be acceptable in the absence of on-site parking and find that the proposal would conflict with WSDLP Policy T/8. The proposal would also be inconsistent with the provisions of the National Planning Policy Framework (2019) relating to sustainable transport, access and highway safety, including as set out in paragraphs 108 and 109.

Other matters

13. I acknowledge the appellant's frustration regarding the time taken by the Council to determine their planning application for two dwellings at the site and that the lapsing of the 2015 outline permission has financial implications for them. However, these issues are not determinative as to the acceptability of this appeal proposal. On the evidence before me and as set out above, there are also clear differences in the circumstances between when the appeal

decision was made for the previous scheme and now. I have therefore considered the proposal on its merits, based on the evidence before me.

14. The Council has not objected to the design, layout or size of the development and an ecology survey has been submitted with the appeal. The development would also provide a new house, which is needed. Be that as it may, these matters do not outweigh the harm I have identified nor provide justification for development that conflicts with the development plan.
15. I recognise that the previous appeal decision found that a dwelling on the site made effective use of land and that the Council has indicated that the site formerly accommodated a number of dwellings. However, I have limited details of this and observed on my site visit that the site does not currently have any dwellings on it. I note that the previous Inspector found that the site was also in a sustainable location based on the circumstances at that time. However, for the reasons above and based on the current circumstances and information before me, I find that this appeal proposal would conflict with parts of the social roles set out in paragraph 8 of the Framework and does not therefore constitute sustainable development.
16. Neighbours have raised a number of other concerns in relation to the development, such as its effect on neighbours' living conditions, construction management and the need for electric car charging. However, given my conclusions on the main issue and that the appeal is dismissed, there is no need for me to address these in further detail.

Conclusion

17. For the above reasons, the appeal is dismissed.

Tobias Gethin

INSPECTOR