

Appeal Decision

Site visit made on 27 January 2021

by Matthew Jones BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 March 2021

Appeal Ref: APP/R3325/W/20/3260372
Beechway, Fore Street, Tatworth TA20 2SW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Mervyn Woolcott against the decision of South Somerset District Council.
 - The application Ref 19/02664/OUT, dated 2 December 2019, was refused by notice dated 24 July 2020.
 - The development proposed is the erection of one dwelling and a two-storey extension with a new access, outline application with all matters reserved other than access.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The planning application was submitted in outline with all matters aside from access reserved. I assessed the appeal as such, having regard to the proposed plans as illustrative, aside from where they relate to the access arrangements.

Main Issues

3. The main issues are the effect of the proposal on (i) highway safety and (ii) the character and appearance of the area.

Reasons

Highway safety

4. Part of the proposed development seeks to remove the existing lean-to off the rear of Beechway and use the resultant enlarged space as a driveway, served by a new access on to Fore Street. What would form the westward visibility splay is currently obscured by a close boarded timber fence and a degree of greenery at the shared boundary with the neighbouring dwelling Hawkridge.
5. Whilst it is proposed to remove these boundary treatments, there is conflicting evidence as to their ownership. However, even if they were removed, the area of the splay beyond the site boundary appears to cut across the front parking area of Hawkridge, outside of the control of the appellant. As such, there would remain the potential for the splay to become obscured, for example by parked vehicles, a scenario conveyed within the illustrative site plan.
6. Fore Street has a 30mph speed limit where it passes the site. Its approach to the site from the west is downhill, and I observed several vehicles passing at around the speed limit, if not beyond it. In these circumstances, if the

westward splay were to become obscured, vehicles exiting the new access seeking to turn east would have inadequate visibility to do so safely.

7. The appellant has also identified that the removal of the site boundary would improve the extent of eastward visibility for occupants of Hawkridge. However, to what extent this is currently deficient and may be improved have not been substantively set out. As such, this matter does not justify the harm to highway safety I have identified in this case.
8. For these reasons, I conclude on this issue that the proposal would have an unacceptable effect on highway safety. It would conflict with the relevant aims of Policy TA5 of the South Somerset Local Plan (2006-2028) (adopted 2015) (SSLP) and the National Planning Policy Framework (the Framework).

Character and appearance

9. Beechway has an attractive frontage which is prominent, particularly when travelling along Fore Street from the east. However, the street scene is formed of a variety of building types, of somewhat differing siting and orientation, and the relationship between the proposed dwelling and Beechway would not be out of place here. Moreover, Beechway is set forward within its plot and the new dwelling could be set well back to the extent that the important views of Beechway would be left largely open and unobstructed.
10. I therefore conclude on this issue that the proposal would have an acceptable effect upon the character and appearance of the area. It would accord with the design aims of Policy EQ2 of the SSLP and the Framework.

Other Matters

11. The Council has questioned the suitability of the location for the proposal, with reference to Policy SS2 of the SSLP. However, as I am dismissing the appeal for other reasons, I have not considered this matter further. The main parties have also referred to the emerging South Somerset Local Plan Review. This document has not been provided to me nor has its current stage of preparation been set out. Given such, it has not been determinative in my assessment. I have also had regard to the various other matters raised by interested parties, but this evidence does not alter my findings against the main issues.

Planning Balance

12. My conclusion in relation to the impact of the proposal on highway safety draws the scheme into conflict with the development plan when read as a whole.
13. Against this, the proposal would reuse garden space to contribute a single dwelling to local housing supply in a settlement with adequate access to services, with likely economic benefits through increased use of local facilities. There would also be time limited economic benefits during construction. Due to the scale of the proposal, these benefits attract modest weight in the balance.
14. There is dispute between the main parties as to whether or not South Somerset can demonstrate a five-year supply of deliverable housing sites. However, even if I were to conclude that there is a shortfall as suggested by the appellant, the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits in this case, when considered against the policies in the Framework taken as a whole.

15. As such, and taking all matters raised into account, there are no other material considerations, including the Framework, that outweigh the conflict I have identified with the development plan.

Conclusion

16. For the reasons outlined above I conclude that the appeal should be dismissed.

Matthew Jones

INSPECTOR