



Appeal Decision

Site visit made on 12 June 2025

by **C Butcher BSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 7 July 2025

Appeal Ref: APP/E3335/W/25/3361930

11 Housman Road, Street, Somerset, BA16 0SD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by Mr J. Cooper against Somerset Council.
 - The application Ref is 2024/1970/FUL.
 - The development proposed is application for planning permission for the erection of a new dwelling (resubmission of 2024/0584/FUL).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have determined this appeal on the basis of the Council's failure to determine the planning application within the statutory timescale. However, I have had regard to the Council's appeal statement, in so far that it provides clarity on the reasons why the Council would have refused planning permission had it been able to do so.

Main Issues

3. The main issues are: (i) the effect of the proposed development on the character and appearance of the area; and (ii) the effect of the proposed parking arrangement on highway safety in Housman Road.

Reasons

Character and Appearance

4. The appeal site is located in a residential area which is predominantly characterised by the presence of detached homes set within large plots. As such, the area has a highly spacious and verdant feel. The site itself currently forms part of the private garden space of No. 11 Housman Road. The undeveloped nature of the site, and the mature planting within it, contributes strongly to the character of the surroundings.
5. The proposal would involve the construction of a two-storey detached dwelling. When looking at the location plan provided by the appellant, it is abundantly clear just how narrow the plot would be in comparison to others in the vicinity. Therefore, while the dwelling to plot size ratio may be similar to neighbouring properties, it is absolutely inevitable that the proposed home would be seen as a highly cramped, contrived and incongruous addition to the street scene. As such, it would clearly detract significantly from the appearance of the immediate area.

6. Part of the existing hedgerow on the boundary of the site would need to be removed in order to provide an access. This would also result in harm as it would erode the existing verdancy of the area to some extent.
7. There are several fruit trees on the site that would need to be removed to facilitate the development. The appellant's Arboricultural Impact Assessment (October 2024) also notes that two mature trees located just outside of the appeal site, identified as T4 and T5, would also need to be removed. However, while these trees do contribute to the character of the area, they are not protected and so could be removed by the appellant at any time. Moreover, any harm in this regard is mitigated by the comprehensive planting scheme which would provide 13 new trees, both on the appeal site and within the remaining garden of No. 11.
8. Nevertheless, the proposed development would harm the character and appearance of the area. As such, it would conflict with Policies DP1 and DP7 of the Mendip Local Plan, Part 1 Strategy and Policies, December 2014 (the LP). Taken together, the relevant aspects of these policies seek to ensure that new development is well designed and that it preserves character and appearance.

Parking

9. The parking standards set out within the Council's Parking Strategy, September 2013, identify that the proposed development should provide three off-street parking spaces plus visitor parking. The approved plans show that three spaces would be provided, one of which would be within the proposed garage. However, the garage space would not meet the requirement of being 3 metres by 6 metres in size. The appellant has remedied this situation by providing an updated plan as part of their final comments. This shows a revised internal design for the garage in order to meet the required space standard. Given that this amendment would not result in any external changes, it is appropriate to accept it as part of this appeal.
10. With regards to visitor parking, both parties are agreed that this can be provided on street. Based on what I saw during my site visit, I have no reason to disagree.
11. As such, I conclude that the proposed parking arrangement would not lead to highway safety concerns. It would therefore conform with LP Policy DP10, which seeks to ensure that adequate parking provision is made as part of new developments.

Other Matters

12. I note that the site is located within the catchment that flows into the Somerset Levels and Moors Ramsar site. However, as I am dismissing the appeal, there is no requirement for me to consider this matter further.

Conclusion

13. It is not in dispute that the Council cannot currently demonstrate a 5-year supply of deliverable sites for housing. Indeed, at between 3.3 and 3.76 years, the current shortfall is fairly significant, and I have no evidence before me to suggest that this position is likely to improve in the short-term. As a result of the shortfall, policies related to the location and supply of housing are deemed to be out of date. In such circumstances, Paragraph 11d and footnote 8 of the National Planning Policy Framework (the Framework) require that permission should be granted unless any

adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.

14. In this instance, the benefits of the proposal include the provision of a single new home in a sustainable location that would assist in meeting need in the area, support for local facilities, and the creation of jobs during the construction phase. Despite the level of shortfall in housing land supply, which leads me to attribute increased weight to the benefits, I still only afford limited weight to them overall given that they are relatively minor in nature.
15. I have concluded that there would be material harm to the character and appearance of the area. The support for the principle of development within the Framework is countered by the importance it places on the provision of development that preserves character and appearance. In this instance, the harm would be significant and enduring. As a result, when assessed against the policies in the Framework taken as a whole, the adverse impacts would significantly and demonstrably outweigh the benefits. Consequently, for the reasons given, the proposed development conflicts with the development plan as a whole, and there are no other considerations, including the provisions of the Framework, that outweigh the identified harm. The appeal is therefore dismissed.

C Butcher

INSPECTOR