

Site: 8, 9 & 10 PARSONAGE COTTAGES, PARSONAGE LANE, KINGSTON ST MARY, TAUNTON, TA2 8JF

Proposal: Formation of parking area in front gardens of 8,9,& 10 Parsonage Cottages, Kingston St Mary (Retention of works already undertaken)

Application number: 20/16/0038

Reasons for refusal: The proposed development by reason of its scale and design would erode the distinct rural character, unacceptably harm the landscape and the street scene and be detrimental to the visual amenity of the locality contrary to the requirements of policies DM1(d) and CP8 of the Adopted Core Strategy 2011-2028.

Appeal Decision: Allowed



Appeal Decision

Site visit made on 31 July 2017

by Chris Couper BA (Hons) DipTP MRTPI

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

Decision date: 08 August 2017

Appeal Ref: APP/D3315/W/17/3174852

8, 9 and 10 Parsonage Cottages, Parsonage Lane, Kingston St Mary, Taunton TA2 8JF

- 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 Messrs. Roberts, Harris and Shortall against the decision of Taunton Deane Borough Council.
 - The application Ref 20/16/0038, dated 9 December 2016, was refused by notice dated 17 March 2017.
 - The development proposed is the formation of a parking area in the front gardens of 8, 9 and 10 Parsonage Cottages.
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Decision

1. The appeal is allowed and planning permission is granted for the formation of a parking area in the front gardens of 8, 9 and 10 Parsonage Cottages, Parsonage Lane, Kingston St Mary, Taunton TA2 8JF in accordance with the terms of the application, Ref 20/16/0038, dated 9 December 2016, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with
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the following approved plans: J175/01B, J175/02D and J175/03B.

- 2) Within three months of the date of this decision, a scheme of hard landscaping showing the layout of areas with stones, paving, cobbles or other materials shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be completely implemented before the development hereby permitted is brought into use, and shall thereafter be retained.
- 3) Within six months of the date of this decision, a landscaping scheme, which shall include details of the species, siting and numbers to be planted, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out within the first available planting season from the date of the approval of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority. For a period of five years after the completion of the landscaping scheme, the trees and shrubs shall be protected and maintained, and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of a similar size and species.
- 4) The area allocated for parking and turning on drawing no. J175/02D, shall be permanently maintained and kept clear of obstruction, and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.
- 5) The visibility splays shown on drawing nos. J175/02D and J175/01B shall be provided prior to the first use of the development hereby permitted. Those splays shall thereafter be retained and there shall be no obstruction to visibility greater than 900 millimetres above adjoining road level within them.
- 6) Details for the disposal of surface water so as to prevent its discharge onto the highway shall be submitted to and approved in writing by the Local Planning Authority. Such provision shall be installed before the first use of the development hereby permitted and shall thereafter be maintained.

Procedural Matters

2. As set out in part 3 of the application form, the proposal involves a parking area in the front gardens of 8, 9 and 10 Parsonage Cottages. Consequently, although part 4 of that form describes the site address as 10 Parsonage Cottages, I have used the more accurate address cited at part 3, which is also consistent with the Council's decision notice.
3. A start has been made on the development, although it is clearly incomplete. I have dealt with the appeal on its merits, and on that basis.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

5. The properties in this edge of village location are set well back from Parsonage Lane behind long front gardens. This part of the lane is narrow and generally enclosed by earth banks and hedgerows, which is typical of the Southeast Quantock Landscape Character Area. However, further east along the lane, I observed strips of more open land sometimes with rough grass verges between the

carriageway and the field boundaries. To the west, on the opposite side of the lane and to the front of Parks Cottages is an off-road parking area, which is set back from the carriageway behind a hedgerow.

6. I understand that the occupants of Parsonage Cottages use the parking area to the front of Parks Cottages, although there is significant pressure on the limited number of spaces there. No doubt partly as a consequence of that, there has been some informal parking closer to the dwellings along the edge of the lane.
7. This scheme involves the excavation of soil from part of the front gardens of nos. 8, 9 and 10 to create four off-road parking spaces. Those works, which have been partially implemented, together with the creation of visibility spays either side would give this section of the lane a less enclosed feel. It would also extend the hard-surfaced area. However, in the context of the lane's varied carriageway width, together with sections of it which have a more open feeling, and the existing off-road parking at Parks Cottages, that impact would not jar with its general character.

Site: 45 BRIDGE STREET, TAUNTON, TA1 1TP

Proposal: Installation of 3 No. bulkhead light fittings to the front elevation of 45 Bridge Street, Taunton (retention of works already undertaken)

Application number: 38/17/0045LB

Reasons for refusal: Whilst the addition of bulkhead lights can be regarded as minor, this property is a grade II Listed Building. The lights have not been demonstrated to have any historic precedence in the Statement of Historic Significance submitted. They detract from the character and appearance of the building contrary to policy D4 of the Site Allocations and Development Management Plan and CP8 of the Core Strategy. They are also considered contrary to Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as they do not preserve the character of the building.

Appeal Decision: Dismissed



Appeal Decision

Site visit made on 22 August 2017

by Neil Pope BA (Hons) MRTPI

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

Decision date: 31 August 2017

Appeal Ref: APP/D3315/Y/17/3173605

45, Bridge Street, Taunton, Somerset, TA1 1TP.

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
- The appeal is made by Mr Vas Kimitri of Bare Grills against the decision of Taunton Deane Borough Council.
- The application Ref.38/17/0045/LB, dated 6/2/17, was refused by notice dated 27/3/17.
- The works proposed are described as the *regularisation of previous listed building consent 38/16/0261/LB to include the installation of three number bulkhead light fittings mounted to the flat pilasters on the front façade.*

Decision

1. The appeal is allowed and listed building consent is granted for three bulkhead light fittings at 45, Bridge Street, Taunton, Somerset, TA1 1TP.

Preliminary Matter

2. A more concise description of the works is three bulkhead light fittings.

Reasons

3. 41-55 Bridge Street is a terrace of mid/late 19th century 3-storey houses (now in commercial use). The significance of this grade II listed row is derived primarily from its architectural qualities (including brick walls, parapets and sash windows) and historic associations with the development and growth of Taunton. No. 45 has been much altered and is now in use as a restaurant.
The frontage includes a wide metal roller shutter, a plywood fascia sign and the three small lights which are affixed below the sign and to the sides of the modern shopfront windows. There are two sizeable lanterns on the frontage of No.41 and security/alarm boxes of various sizes and shapes across the terrace.
4. The bulkhead light fittings have a somewhat industrial appearance and do not enhance the appearance of the terrace. However, they are of a very modest size, do not protrude unduly from the façade of the building and the matt black finish ensures that they are not prominent additions. They sit comfortably alongside the metal roller shutter and illuminate business premises which are open into the evening. More importantly, they do not detract from the ability to appreciate or understand the significance of the terrace. I concur with the appellant's Architect that these minor works, which are reversible, preserve the special architectural and historic interest of the listed building/terrace. There is no conflict with national or local planning policies for protecting heritage assets.

Neil Pope Inspector

Site: MANOR FARM, STOKE ROAD, NORTH CURRY, TAUNTON, TA3 6LP

Proposal: Erection of 3 No. dwellings with associated garages and works at The Paddock, Manor Farm, Stoke Road, North Curry (resubmission of 24/15/0053)

Application number: 24/16/0022

Reasons for refusal: The proposed development by reason of the location and proposed means of access along a lane and footpath would have an adverse impact on the rural character of the lane, the conservation area and the setting of the Grade II* listed Manor House contrary to policies DM1d and CP8 of the Taunton Deane Core Strategy and the harm to the heritage assets are not considered to be outweighed by the benefits.

Appeal Decision

Site visit made on 28 November 2016 and 22 August 2017

by Neil Pope BA (Hons) MRTPI

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

Decision date: 31 August 2017

Appeal Ref: APP/D3315/W/16/3164568

The Paddock, Manor Farm, Stoke Road, North Curry, Somerset, TA3 6LP.

- 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 Robert Ward against the decision of Taunton Deane Borough Council (the LPA).
 - The application Ref. 24/16/0022, dated 6/4/16, was refused by notice dated 18/7/16.
 - The development proposed is the erection of three dwellinghouses.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Initially the appellant raised the issue of housing land supply (HLS). However, appellant's subsequent comments on the LPA's Statement of Case include the following: *"the appellant and the Local Planning Authority have agreed that housing land supply is not considered relevant to the determination of the 3- unit appeal due to it being considered as a "windfall site" by virtue of its size."* As HLS is not determinative to the outcome of this appeal I agreed to this appeal proceeding by way of written representations rather than a Hearing.

Main Issue

3. The main issue is whether the proposal would preserve or enhance the character or appearance of the North Curry Conservation Area (NCCA)

and preserve the setting of the grade II* listed building known as Manor Farm.

Reasons

Planning Policy

4. The development plan includes the Taunton Deane Core Strategy (CS) adopted in 2012 and the Site Allocations and Development Management Plan (DMP) adopted in 2016. The most relevant policies to the determination of this appeal are: CS policies SP1 (sustainable development locations), SP4 (rural areas), CP8 (environment) and DM1 (general requirements). The appeal site lies within the settlement boundary for North Curry as identified in the DMP.
5. In 2007 the LPA adopted the North Curry Conservation Area Appraisal Document (CAA). Amongst other things, this identifies the special historic and architectural interest of the NCCA. The special historic interest includes the role of the village as a local market centre. Its special architectural interest is defined as including a range of important buildings, many of which gain value

from the quality of their immediate setting. The CAA has been subject to a process of consultation and can be given moderate weight.

6. The National Planning Policy Framework (the Framework) is an important material consideration that carries considerable weight.

Conservation Area / Setting of Manor Farm

7. The appeal site includes a grass paddock to the south east of Manor Farm and a track which connects the paddock to Stoke Road to the north. A public footpath runs along this track and the section nearest Stoke Road lies within the NCCA. The paddock makes up the bulk of the site and is outside the NCCA.
8. In essence, the NCCA comprises the medieval core of the village. The significance of this designated heritage asset is derived primarily from the settlement's historic role as a market centre, including the layout of streets and plots, as well as the architectural and historic qualities of the many listed buildings. Some of the fields and paddocks within and around the village contribute to the significance of North Curry as a historic rural settlement.
9. Manor Farm is a coursed blue lias and partially rendered two storey former farmhouse with a slate roof that dates from 1570. The significance of this designated heritage asset is derived primarily from its architectural qualities (including its plan form, stone mullion windows, doorways and chimneys) and historic associations with agricultural activity in and around North Curry.
10. As noted by Historic England (HE), this building, which is of more than special interest, is also significant for its survival as a farmstead complex on the periphery of the village. Development over the years, including the Manor Lawns housing scheme¹ to the south, has altered the wider setting of

this grade II* listed building. Nevertheless, Manor Farm, the traditional buildings alongside² and the appeal site provide an understanding of the historic association between these buildings and previous farming activities.

11. The appeal site forms part of the surroundings in which the NCCA and Manor Farm are experienced. The unspoilt open qualities of the paddock and the appreciation it affords of the relationship/role of Manor Farm as an important rural building make a positive contribution to the setting (historic significance) of these designated heritage assets.
12. The proposed dwellings would be set back from the garden of Manor Farm and the new access road would be screened from this listed building by an existing row of conifer trees and a sizeable mound of topsoil. The houses would be designed to a high standard and would be finished with rendered and brick walls and slate roofs. However, the development would considerably erode the unspoilt open qualities of the paddock and largely extinguish the ability to 'read' or understand the historic association between the grade II* listed building and the remnants of the fields to the south and south east. It would adversely affect the significance (historic interest) of this heritage asset.
13. The Inspector who determined the Manor Lawns appeal did not find that the open space buffer on this neighbouring development would avoid harm to the significance of Manor Farm. Whilst this buffer would be unaffected by the proposal before me, I concur with HE that the loss of much of the paddock to housing would unacceptably enclose this heritage asset. It would alter the semi-rural setting to urban and diminish the evidential value associated with the location and historic agriculturally-related function of this important listed building. It would harm the setting of Manor Farm and reduce the contribution this building makes to the historic interest of the NCCA. The alteration to the access track would have a neutral effect upon the significance of the NCCA.
14. In the context of the Framework, the proposal would result in less than substantial harm to the significance of Manor Farm. If there was a sliding scale of harm within this category it would be moderate. However, that is not to say this carries moderate weight in the planning balance. As also set out within the Framework, great weight should be given to an asset's conservation and the more important the asset, the greater the weight. The less than substantial harm to the significance of the NCCA as a whole would be limited and my decision does not turn on the impact upon the NCCA.
15. The provision of three additional dwellings in an accessible location and within a defined settlement boundary would add to the stock of housing within the borough in accordance with CS policy SP1. The proposal would increase the choice and supply of housing and help support local services. It would also provide some limited support to the construction industry. However, these do not match the scale of public benefits that were identified in the Manor Lawns appeal and do not outweigh the less than substantial harm to the setting/significance of the listed building that I have found above.
16. I conclude on the main issue that the proposal would harm the setting of

Manor Farm. In not conserving this element of the historic environment, the unacceptable harm and failure to respect the character of this building would conflict with CS policies CP8, DM1(d) and SP4.

Other Matters

17. The additional traffic that would use the access track would not be so great as to pose a serious risk to pedestrians or others. From what I saw during my visits, traffic flows and speeds at the junction with Stoke Road are low. Whilst visibility at this junction is restricted to the east, a condition, attached to an approval, could secure necessary improvements. The limited traffic generated by the proposal would be unlikely to compromise highway safety interests.
18. I note the findings made by Inspectors in respect of different proposals on other sites. The circumstances of these other cases are materially different to those before me and do not set a precedent that I am bound to follow. I have determined this appeal on its own merits.

Overall Conclusion

19. The harm that I have found would not satisfy the environmental dimension to sustainable development and the proposal would conflict with the development plan as a whole. Having regard to all other matters raised, including the appellant's argument regarding HLS, I conclude that the appeal should not succeed.

Neil Pope

Inspector
