

**APPEALS RECEIVED : FOR COMMITTEE AGENDA : 7 September 2011**

<b>Proposal</b>	<b>Start Date</b>	<b>Application/Enforcement Number</b>
VARIATION OF CONDITION 1 PERTAINING TO THE SCHEDULE OF APPROVED DRAWINGS TO APPLICATION 05/11/0016 FOR 7 HOUSE PLOTS ON PHASE 1, MINOR CHANGES TO MATERIALS, AT LAND WEST OF BISHOPS HULL ROAD, BISHOPS HULL	11 AUGUST 2011	05/11/0026

**APPEAL DECISION FOR COMMITTEE AGENDA – 7 SEPTEMBER 2011**

<b>APPEAL</b>	<b>PROPOSAL</b>	<b>REASON(S) FOR INITIAL DECISION</b>	<b>APPLICATION NUMBER</b>	<b>DECISION</b>
APP/D3315/Q/11/2151808/NWF	VARIATION OF S106 FOR APPLICATION 48/93/0001 TO PERMIT A WIDER RANGE OF GOODS TO FACILITATE BOOTS' OPERATIONS FROM THE UNIT CURRENTLY OCCUPIED BY ROSEBY'S AT DEANE RETAIL PARK, HANKRIDGE WAY, TAUNTON	The applicant has not demonstrated compliance with the sequential approach and the proposed variation to the Section 106 Agreement is considered to be likely to result in an adverse impact upon the viability and vitality of Taunton Town centre, set an undesirable precedent for similar proposals which would have a cumulative negative effect upon the town centre and is contrary to the objective of sustainable development. The proposal is contrary to PPS1, PPS4, Taunton Deane Local Plan Policies S1 and EC13 and the objectives of the Taunton Town Centre Area Action Plan.	48/10/0055	The Inspector visited various current and prospective retail sites in the town. She concluded that the planning obligation, in its present form, serves a reasonable, necessary and relevant planning purpose, bearing in mind planning policy objectives for the location of development. The circumstances put forward by the appellant are not of sufficient weight to cause her to alter the S106. The amended Deed of Variation offered at the hearing would not have overcome the objection in principle. The Inspector found the appeal scheme would compromise fundamental principles set out in national and local planning policy and DISMISSED the appeal.

APP/D3315/A/11/2153755/NWF	DEMOLITION OF THE SPORTSMAN INN PUBLIC HOUSE AND ERECTION OF SEVEN DWELLINGS AND ASSOCIATED PARKING AT 46 WATERLOO ROAD, WELLINGTON	The proposed development makes insufficient parking provision on the site, which would be likely to encourage the parking of vehicles on the adjoining public highway, which would interrupt the free flow of traffic and thereby add to the hazards of highway users at this point. The proposal is, therefore, contrary to Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.	43/10/0130	The main issue raised by the appeal is the effect that the development would have on the free flow and safety of traffic and of other highway users. The Inspector saw no reason to believe that increased competition for spaces, as a result of the proposed development, is likely to generate conflicts that would be hazardous to traffic. The town centre is easily accessible on foot and there are well-lit paths. He concluded that the development would not cause undue harm to the free flow of traffic or to the safety of road users and there would be no conflict with Policies 48 or 49 of the (2000) Somerset and Exmoor National Park Joint Structure Plan Review. The appeal was ALLOWED and planning permission granted subject to conditions.
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**TDLP** = Taunton Deane Local Plan **SENP** = Somerset & Exmoor National Park