

**APPEAL DECISIONS FOR COMMITTEE AGENDA – 08 JANUARY 2014**

APPEAL	PROPOSAL	REASON(S) FOR INITIAL DECISION	APPLICATION NUMBER	INSPECTOR'S REMARKS
APP/D3315/A/13/2 196606	OUTLINE APPLICATION FOR THE PROPOSED DEVELOPMENT OF EIGHT REST AND RECUPERATION HOLIDAY UNITS AND MANAGER'S ACCOMMODATION ABOVE THERAPY/FACILITIES ROOM AT BAGLEY BARN, WELLINGTON	The proposed development site lies outside the Development Boundary Limits for Wellington in an adjoining rural area and is therefore considered distant from services and facilities. As a consequence, occupiers of the proposed development are likely to be dependant on their private vehicles. Such fostering of growth in the need to travel would be contrary to advice given in the National Planning Policy Framework (NPPF) and to Policies STR1 and STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review (adopted: April 2000) and Policy CP1 (Climate Change) of the Taunton Deane Core Strategy. Furthermore, no evidence has been submitted to justify the siting of the building in this location, in open countryside, and as to why there are no other suitable sites,	44/12/0020	<p>The Inspector considered the proposal would constitute an unjustified intensification and consolidation of existing sporadic development beyond defined settlement limits. It follows that the proposal is contrary to the development plan policies and national plan policies on sustainable development in rural areas.</p> <p>Although the proposed accommodation is of a specialised nature, he did not agree with the appellant that it is unique, such that it merits special treatment. Whilst the site is in a dilapidated condition, this does not of itself justify approval, as the argument could be repeated too often, thereby undermining local and national planning policies.</p> <p>The Inspector therefore concluded</p>

		with or without permission, or Local Plan allocations within Wellington that could accommodate this proposal. No overriding benefit or need has been identified to outweigh the location, outside of defined settlement limits, and use of the site, and as such, the proposal would therefore not accord with Policy DM2 (Development in the Countryside) and Policy CP8 (Environment) of the Taunton Deane Core Strategy.		the balance in this case weighs firmly against approval and the appeal was DISMISSED.
APP/D3315/D/13/2 207619	ERECTION OF TIMBER FENCE TO THE SIDE OF 4 CASHFORD GATE, TAUNTON (RETENTION OF WORKS ALREADY UNDERTAKEN)	The fence, by virtue of its, design, materials and positioning, appears as an incongruous addition to the street scene, in a prominent position and does not relate well to the surroundings thus detracting from the character and visual amenity of the area and as such, it is contrary to policy DM1d (General Requirements) of the Taunton Deane Core Strategy.	08/13/0014	The Inspector considered the main issue in this appeal to be the effect of the development on the character and appearance of the area and did not find that the proposed fence and gates form an incongruous addition to the street scene. It was found to relate well to its surroundings causing no harm to the character and appearance of the area. The appeal was ALLOWED with an attached condition requiring compliance with the approved plans.
APP/D3315/A/13/2 203580	CHANGE OF USE OF LAND FOR THE SITING	The site lies in a countryside location where it is the policy of the	37/12/0012	The Inspector found the main issues to be (i) the effect on the

	<p>OF A TEMPORARY OCCUPATIONAL DWELLING AT HORSE CHESTNUTS, STOKE ROAD, STOKE ST MARY</p>	<p>Local Planning Authority to resist new housing development unless it is demonstrated that the proposal serves a genuine appropriate rural need. It has not been proven that there is an essential need for a worker to live on the site instead of at the applicant's current residence within the village. In addition, it has not been demonstrated that the business has been planned on a sound financial basis. The scheme therefore represents an unjustified dwelling outside of settlement limits and the proposal is contrary to Policies CP8 (Environment), SP1 (Sustainable Development Locations) and DM1(d) (General Requirements) of the Taunton Deane Core Strategy, Policy STR6 of the Somerset &amp; Exmoor National Park Joint Structure Plan Review and Paragraph 55 of the National Planning Policy Framework 2012.</p> <p>The proposal is considered to be of detriment to the visual amenities of the landscape and is not considered to preserve or enhance the setting of the Listed Buildings which are adjacent to the site. The</p>		<p>character and appearance of the landscape in the area and whether the setting of the adjacent Grade II* building, the Church of St Mary, would be preserved and (ii) whether there is an essential need for a rural worker to live on the appeal site in the countryside. She found the proposed temporary dwelling would harm the character and appearance of the rural landscape and would not preserve the setting of the Grade II” listed Church of St Mary.</p> <p>Whilst the Inspector gave significant weight to the promotion of economic growth in the rural area, she found it would not be essential to have a full time residential presence on the site in order to maintain animal welfare or successfully run the business. The economic benefit of the proposed temporary dwelling would be very limited and would not outweigh the significant harm caused to the character of the area and the setting of the church and the creation of an unjustified dwelling in the open countryside.</p>
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		proposal is thereby contrary to Taunton Deane Core Strategy Policies DM1(General Requirements) and CP8 (Environment) and the National Planning Policy Framework (paragraphs 126-141).		For these reasons the appeal was DISMISSED.
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