

APPEALS RECEIVED : FOR COMMITTEE AGENDA : 29 June 2011

Proposal	Start Date	Application/Enforcement Number
RESIDENTIAL DEVELOPMENT OF 44 PLOTS WITH ASSOCIATED GARAGES, ROADS, FOOTPATHS AND GARDENS, LAND FORMING PART OF CADES FARM, TAUNTON ROAD, WELLINGTON	06 JUNE 2011	43/10/0130
ERECTION OF FENCE AT 14 BARTLETT CLOSE, TAUNTON (RETENTION OF WORKS ALREADY UNDERTAKEN)	01 JUNE 2011	52/11/0001
APPLICATION FOR A LAWFUL DEVELOPMENT CERTIFICATE FOR THE CHANGE OF USE OF AGRICULTURAL LAND FOR THE STORAGE OF BUILDING MATERIALS AT LAND NEAR WESTLAND HOUSE, TAINFIELD PARK, KINGSTON ST MARY	09 JUNE 2011	20/11/0002/LE
FORMATION OF HARDSTANDING FOR THE SITING OF A CARAVAN, IN CONNECTION WITH THE MAINTENANCE OF THE ORCHARD, ERECTION OF STORAGE BUILDING AND CREATION OF AN ACCESS TRACK AT DAISY ALICE ORCHARD, WEST SEDGEMOOR ROAD, HELLAND, NORTH CURRY AS AMENDED BY APPLICANTS LETTER DATED 12 OCTOBER 2010, DESIGN AND ACCESS STATEMENT AND ATTACHED PLANS	10 JUNE 2011	24/10/0023

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APPEAL DECISION FOR COMMITTEE AGENDA – 29 JUNE 2011

APPEAL	PROPOSAL	REASON(S) FOR INITIAL DECISION	APPLICATION NUMBER	DECISION
APP/D3315/A/11/2144008/WF	Conversion of office, garages and stores into single storey dwelling at the Courtyard, Heatherton Park House, Bradford on Tone	The site is located outside of the defined settlement limits, (as set out in the Taunton Deane Local Plan) where Development Plan policy provides that development should be strictly controlled and provided for where consistent with the policies and proposals set out in the Plan. The proposed conversion as a permanent residential dwelling remote from adequate services, employment, education, etc would be likely to generate the need for additional travel by private motor vehicles due to its location and lack of accessibility to alternative means of travel. The development is therefore considered to be an unsustainable form of development contrary to Local Plan Policies STR1 and STR6 of the	07/10/0021	The appeal site lies outside the confines of any recognisable settlement and is a considerable distance from main services such as healthcare, education and employment facilities. The private driveway serving the appeal site joins the A38 in close proximity to a staggered crossroads which records show is an accident blackspot with poor visibility. Whilst the proposal would secure a new use for this heritage asset and would prevent the building from falling into disrepair, it is far from certain that this proposal is the only means of safeguarding this heritage asset. The Inspector considered that the benefits of the scheme do not outweigh the harm identified and also considered the proposal would not be sustainable in transport terms. He therefore DISMISSED the appeal.

		<p>2000 Somerset and Exmoor National Park Joint Structure Plan Review and Taunton Deane Local Plan Policy S1(B).</p> <p>Any increased use of the existing substandard access/junction of the private access and the A38, which fails to provide the necessary visibility splays such as that would result from the proposed development, is considered to be prejudicial to road safety. The proposed development would therefore be contrary to Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review, Adopted Policies 2000 and Policies S1 of the Taunton Deane Local Plan, Adopted November 2004.</p>		
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APP/D3315/AE/11/2148629	ERECTION OF SINGLE STOREY GARDEN ROOM TO THE REAR OF WEST VIEW, MINEHEAD ROAD, BISHOPS LYDEARD	The proposed extension, by reason of its design and location, would disrupt the appearance and harm the significance of the listed building and is contrary to Policy 9 of the Somerset and Exmoor National Park Joint Structure Plan Review, guidance in Planning Policy Statement 5. It, therefore, fails to preserve the listed building and conflicts with the duty outlined at Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.	06/10/0041LB	The Inspector considered that, as the proposed extension would project beyond the two storey wing, it would disrupt the original plan form and would detract from the proportions of the building. This harm would be compounded by the proposed porch which would overlap with part of the main building. He concurred with the Council that it would obscure part of the north western corner of the building and detract from the simple and pleasing character and appearance of the existing rear elevation. It would also create a rather narrow and awkward space between the existing wing and the proposed works. He concluded that the proposed works would harm the special architectural interest of the Grade II listed building and the appeal was DISMISSED.
APP/D3315/A/11/2147550	OUTLINE APPLICATION FOR THE ERECTION OF DETACHED DWELLING WITH PRIMARY ACCESS OFF THE B3227 AT DENE VIEW, WEST ROAD, WIVELISCOMBE	The site is located in open countryside outside of the defined settlement boundary of Wiveliscombe. As such the development would increase the reliance of the private motorcar and foster a growth in the need to travel. There is no lit pedestrian footway	49/10/0037	The appeal site lies outside the defined settlement boundary of Wiveliscombe and in planning terms is therefore in open countryside. The proposed development would be a single dwelling that would not significantly benefit economic activity in the area. The road into town falls steeply, is unlit with steep hedgebanks on either side and no

		<p>or cycle access from the site and as such the proposal would fail to provide safe access for all highway users. The proposal is therefore contrary to Somerset & Exmoor Structure Plan Policies.</p> <p>The proposed siting of the dwelling located outside of the defined built up area of Wiveliscombe would be detrimental to the rural character and appearance of the landscape. Moreover, the dwelling, garaging, and access would detract from the setting and approach route into Wiveliscombe. The application site is sited in an area that is open in character with attractive elevated public views across to the site. By intruding into this open and rural setting, the proposal would have a detrimental effect on the form and appearance of the settlement.</p> <p>The proposed scheme seeks a new access onto</p>		<p>footways.</p> <p>The appeal site is visible from the road and the presence of the proposed dwelling, notwithstanding the existence of the white barn beyond, would constitute a further harmful intrusion of built form into an area with a rural character and appearance.</p> <p>The proposed development would require a new access, have substandard visibility splays and would not have safe access to the road.</p> <p>The appeal was DISMISSED.</p>
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APP/D3315/D/11/2151628	FORMATION OF VEHICULAR ACCESS AT THREE CHIMNEYS, BRADFORD ON TONE	The proposed development fails to incorporate the necessary visibility	07/10/0031	The Inspector considered that the proposed widening of the existing pedestrian entrance for use by vehicles would lead to an

		<p>splays, which are essential in the interests of highway safety to ensure that vehicles can see and be seen upon egress from the site. The Local Planning Authority are not satisfied that unobstructed visibility splays can be provided over land within the applicants ownership and therefore the proposed access is considered to represent a danger to highway safety and contrary to Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review (Adopted April 2000) and Policy S1 of the Taunton Deane Local Plan.</p>		<p>unacceptable highway danger. He further considered the appeal development does not accord with the highway safety aims of Policy 49 from the Somerset and Exmoor National Park Joint Structure Plan Review and Policy S1 from the Taunton Deane Local Plan. He therefore DISMISSED the appeal.</p>
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TDLP = Taunton Deane Local Plan **SENP** = Somerset & Exmoor National Park