

APPEAL DECISIONS FOR COMMITTEE AGENDA – 24 SEPTEMBER 2014

APPEAL	PROPOSAL	REASON(S) FOR INITIAL DECISION	APPLICATION NUMBER	INSPECTOR'S REMARKS
APP/D3315/C/14/2218684	NON COMPLIANCE WITH AGRICULTURAL TIE AT MANOR FARM, STAPLEGROVE	Enforcement action for unauthorised use.	E0239/34/13	<p>The inspector considered the main issue to be whether the agricultural tie continues to have any useful planning purpose.</p> <p>He found the direct functional need that originally justified the dwelling no longer exists as there is no need to retain Manor Farm specifically to serve the needs of agriculture or forestry. It is not an isolated home in the countryside, the appeal site is sustainably located and any harm that the dwelling may have caused to the character and appearance of the countryside has long been accepted with the site now having a more urban location.</p> <p>The Inspector concluded the appeal should succeed and planning permission should be GRANTED for the dwelling without complying with condition 5 of the original planning permission.</p>

<p>APP/D3315/D/14/ 2222345</p>	<p>REPLACEMENT OF BEECH HEDGE AND WALL BOUNDARY WITH THE ERECTION OF A FENCE AT 13 JEFFREYS WAY, COMEYTROWE (RETENTION OF WORKS ALREADY UNDERTAKEN)</p>	<p>The metal fence, by virtue of its, design, materials and positioning, appears as an incongruous addition to the street scene, detracting from the character and visual amenity of the area.</p> <p>The fence in this prominent position does not relate well to surrounding areas and fails to respect the nature of the area. As such, it is contrary to Policy DM1.</p>	<p>52/14/0026</p>	<p>The Inspector stated that the retention of the fence was not an act of development. The development is the erection of a fence. Therefore he would amend the description of the proposed development and consider the scheme accordingly.</p> <p>He found that there are some tall roadside fences near to the appeal site while other front boundaries are characterised by low walls often with higher hedges and vegetation behind. Thus while the estate is generally open plan, the partial enclosing of front and side gardens is not unusual to the area. He also stated that the fence is a minor addition to the general street scene and although it is metal, its design and colour, which matches other timber fences, means that it has a domestic, rather than industrial, appearance.</p> <p>The Inspector concluded the appeal should succeed and planning permission should be GRANTED.</p>
------------------------------------	---	--	-------------------	---

<p>APP/D3315/A/14/2219143</p>	<p>Land at junction of A358 and Stoke Road adjoining, Laburnum Terrace, Henlade, Taunton, Somerset TA3 5HP</p>	<p>It has not been satisfactorily demonstrated that surface water can be sufficiently attenuated or that the proposed route of surface water discharge will not give rise to additional off-site flooding to existing residential properties in Lower Henlade. It is, therefore, contrary to Policy CP8 of the Taunton Deane Core Strategy and the advice contained in the NPPF.</p>	<p>31/13/0025</p>	<p>The Inspector found that the proposed layout of the houses would not unacceptably increase the risk of flooding elsewhere. It would accord with the requirements of CP 8 of the Taunton Deane Core Strategy 2011 – 2018 Development Plan Document (2012), that amongst other things, requires development not to exacerbate flood risk with increased water flows. This would be consistent with an objective of the National Planning Policy Framework (the Framework) that requires development to ensure that flood risk is not increased elsewhere.</p> <p>He also noted that Local residents are concerned that the proposed houses would exacerbate traffic levels within the area and have inadequate parking provision within the site but commented the level of proposed parking would be commensurate with the size of the proposed dwelling.</p> <p>The Inspector concluded the appeal should succeed and planning permission should be GRANTED.</p>

APP/D3315/A/14/2 219960	ERECTION OF 5 DWELLINGS WITH GARAGING, CAR PARKING AND VEHICULAR ACCESS AT LAND OFF WHITE STREET, NORTH CURRY (AMENDED SCHEME TO 24/13/0036)	<p>The application site lies outside of the settlement limits of North Curry as defined in the adopted Core Strategy (proposals map) and the proposal is therefore an unsustainable development contrary to Policies SP1 and DM2 of the Taunton Deane Core Strategy.</p> <p>2 The proposed development would be detrimental to the setting of Longs House/Cottage (a Grade II Listed Building) and the North Curry Conservation Area, in particular, the proposed highway access and urban road frontage, the restricted dwelling and plot sizes, its regimented layout, the loss of the surrounding hedge and tree boundary with White Street, contrary to the requirements of Policies CP8, CP1(h) and DM1(d) of the Taunton Deane Core Strategy .</p> <p>3 The proposed development would have a detrimental impact on the semi-rural character of the area which forms the boundary between the built form of the</p>	24/14/0019	The appeal is allowed and planning permission is granted for erection of five dwellings with garaging, car parking, landscaping and vehicular access from White Street on land off White Street North Curry Taunton.
----------------------------	---	---	------------	--

		<p>development and open countryside beyond and is therefore considered to be contrary to policies CP1(g), DM1(d) and CP8 of the adopted Taunton Deane Core Strategy.</p> <p>4 The proposal does not provide a suitable means for securing the appropriate affordable housing, the Sustainable Urban Drainage scheme for the site, or a Travel Plan, and therefore is contrary to policies CP4, CP6 and CP7 of the adopted Taunton Deane Core Strategy.</p>		
--	--	--	--	--

APPEALS RECEIVED FOR COMMITTEE AGENDA – 24 SEPTEMBER 2014

APPEAL NO	PROPOSAL	APPLICATION NUMBER
APP/D3315/A/14/2223665	ERECTION OF 4 NO. DETACHED DWELLINGS WITH GARAGES AND ASSOCIATED WORKS ON LAND TO THE SOUTH OF THE COACH HOUSE, SIDBROOK, WEST MONKTON	48/13/0082