

APPEAL DECISION FOR COMMITTEE AGENDA – 02 MARCH 2011

APPEAL	PROPOSAL	REASON(S) FOR INITIAL DECISION	APPLICATION NUMBER	DECISION
APP/D3315/D/10/2142740	Erection of shed at 6 Mountway Road, Bishops Hull (retention of work already undertaken)	By virtue of length, height, massing, siting and proximity of the building to the boundary between 6 Mountway Road and 1 Mountway Lane, the proposal is considered to result in an undesirable, overbearing impact upon the amenity of the adjoining residential property and therefore fails to accord with Taunton Deane Local plan Policies S2 (F) (Design)	05/10/0006	The Inspector considered the appeal building creates a dominating visual impact and an unacceptable sense of enclosure for the occupiers of No 1, exacerbated by the difference in levels between the two properties. An alternative location for the building could well be acceptable. Taking into account these points, he concluded that the appeal should be DISMISSED.
APP/D3315/E/10/2138131/WF	Replacement of windows at Melbury, Bulford Lane, Wellington, as amplified by applicant's email dated 13 April 2010 and supplementary drawings dated 09 April 2010	The proposed replacement windows, by virtue of their design, operation arrangement and double glazing, are considered to harm the character, appearance and historic interest of the Grade II Listed Building and thereby fail to preserve the Listed Building, its setting and features of special architectural or historic interest. Therefore, the proposed works are considered to conflict with Somerset & Exmoor National Park Joint Structure Review	43/10/0017LB	The appeal scheme seeks to remove three modern UPVC windows inserted without consent by a previous owner; in terms of materials and design, these appear incongruous within the context of the historic building. Double glazed sash windows would be installed in their place. In the absence of substantive evidence to the contrary, the Inspector considered the works proposed would have a harmful effect upon the special architectural and historic interest of

		Plan Policy 9, Policies HE7 & HE9 of Planning Policy Statement 5 (Planning for the Historic Environment) and section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.		Melbury, a Grade II listed building. This would run contrary to the aims of PPS5 and the heritage objectives of the development plan as expressed by Policy 9 of the Somerset and Exmoor National Park Joint Structure Plan Review. The appeal was DISMISSED.
APP/D3315/A/10/2142265	Formation of access and use of land for storage at Former Brick Yard, Higher Poole, Wellington	In the opinion of the Local Planning Authority insufficient information has been submitted in order to consider the impact of the proposed B8 use on the residential amenity of local residents, given the close proximity of the dwellings to the site, and the visual amenities of the area. The application does not provide any detail on the type, position or height of the proposed storage or provide information on anticipated traffic movements associated with the use. The site is elevated to the east and the proposed layout plan does not indicate any changes in proposed ground level changes. It is therefore considered that the provision of an unrestricted B8 use could significantly detrimentally affect the outlook of local residents and the visual amenities of the area. The application site lies outside of the defined settlement limits where development should be strictly controlled. No justification has been submitted with regards	46/10/0002	

		<p>to the 'need' for the development in respect of an existing business on site. As a consequence the Local Planning Authority considers that the proposal does not exhibit any special circumstances to warrant the grant of planning permission as an exception to Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design), S7 (Outside Settlements), EC2 (Expansion of Existing Firms on Land Subject to Restrictive Policies), EC7 (Rural Employment Proposals) and EN12 (Landscape Character Areas) or guidance contained within Planning Policy Statement 4.</p>		
APP/D3315/H/10/2135622	<p>Display of pvc banner sign at 27 Bridge Street, Taunton (retention of works already undertaken)</p>	<p>The proposed banner advertisement by reason of its size and siting at first floor level will be an incongruous intrusion and would be unduly prominent in the street scene and when viewed with the existing signs would result in an excessive display of advertising matter, detracting from the visual amenities of the area. Therefore, the proposal is considered contrary to Taunton Deane Local Plan Policies S1, S2 and EC26 and advice contained in PPG19 - Planning & Outdoor Advertisement Control.</p>	38/10/0186A	<p>The inspector considered that, as the appeal building is on a road comprising predominantly shops and eating and drinking establishments, and, as the sign is relatively small and blends with the appeal building, it is not an incongruous intrusion in the street scene. The appeal was therefore ALLOWED.</p>

TDLP = Taunton Deane Local Plan **SENP** = Somerset & Exmoor National Park