

MR &amp; MRS P SLOMAN

**ERECTION OF REPLACEMENT BOUNDARY WALL INCORPORATING LAND OUTSIDE OF THE EXISTING WALL AT 45 FARM VIEW, TAUNTON.**

23360/27040

FULL PERMISSION

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**PROPOSAL**

In September 2002 an application for a 1.9 m high boundary wall to the side of the property was refused by Committee as it was considered that it would have a detrimental impact on the street scene, visual amenities of the area and that it would conflict with the open plan nature of the estate. The current proposal is a revised scheme which resites the 1.9 m high brick wall 0.5 m back from the edge of the pavement, allowing for landscaping to soften its impact. A lower level picket fence currently encloses the land at the side of the house.

**CONSULTATIONS AND REPRESENTATIONS**

COUNTY HIGHWAY AUTHORITY no comments.

HOUSING OFFICER no objections as long as the wall is not on the boundary as this would restrict visibility. ESTATES AND VALUATION OFFICER this does not appear to have anything to do with TDBC land. LANDSCAPE OFFICER no objections subject to landscaping.

3 LETTERS AND A PETITION (signed by 9 local residents) have been submitted in SUPPORT of the application which raise the following issues:- the applicants have made us fully aware of their plans and we cannot see any cause for concern and fully support the application; when the wall is resited it would be the same height and not affect us or cause any visibility hazard; it will enhance the area as they are planting shrubs at the side of the wall making the area more attractive; a smart brick wall will look better than a difficult to maintain hedge.

6 LETTERS OF OBJECTION have been received on the following grounds:- with the exception of a small adjustment of the positioning of the wall to allow for shrubbery, it is the same as the earlier application; it raises concern about Taunton Deane Council's policy on re-assigning/giving away land in the area; refusal of applications of this type should be a policy and not about particular concerns; the Slapes Farm development was designed to be open plan and has gained a unique, visually attractive "green effect". Protection for these features was to be ensured by extensive covenants; at some time prior to 1988 the house and wall at No. 45 were extended, leaving little greenspace; the Deane's policy covering the give away of "common land" must include restrictions to subsequent development to protect the ideals of the original planners and visual amenities of present and future residents; the open aspect from my window will be adversely affected; Blackthorn Gardens has a pleasant visual nature when viewed from the bottom end of the road towards Farm View; shortly after taking possession of

the property the applicant enclosed the grass patch between the house and the footpath in Blackthorn Gardens and added a brickwork archway and hedge to face Farm View; the proposed new development will have an impact on the area and cause immense damage to the visual amenities of the area affecting all its residents; this damage is also likely to be reflected in future property values; the road safety aspect; prior to the applicant acquiring 45 Farm View, there was open grass alongside the footpath joining onto that fronting the row of properties in Farm View, here there is a larger grass patch alongside the roadway and another on the opposite side of the turn into Blackthorn Gardens, these grass areas have always been a regular playground for children, who often run from one patch to another with complete disregard for any traffic, with the enclosing of the grass patch and the growth of the hedge there is now a visibility hazard to traffic leaving Blackthorn Gardens; in recent times there have been a number of 'near misses'; last year, Taunton Deane built a playground on Blackthorn Green, this has resulted in a substantial increase in the number of children coming through Blackthorn Gardens towards the playground both on foot and on bicycles; children are not very disciplined in how they follow the footpath or roadway so have become more vulnerable because of the visibility hazard; if the proposed wall is permitted the visibility hazard will be permanently put in place and make an unnecessary addition to the existing road safety problem of moving vehicles, parked cars, movement to and from the playground and children playing in the street; concern has been expressed that the wall itself could become a useful ball game facility with children playing in the road amongst parked cars; a wall of this size may be a target for graffiti; I have in my possession copies of a number of letters between Somerset County Council, Taunton Deane and the developers, relating to the original planning permissions for the Estate, at that time there was considerable concern that the whole development should be 'open plan' and most property deeds included covenants to ensure this, in recent years these covenants seem to have been ignored.; there are also a number of incidences where previous common land open spaces have been enclosed by owners of adjoining properties and simply 'taken' into ownership; what is significant to the whole Slapes Farm area in this planning application is that this is the first time a boundary 'adjoining the public highway' is to be marked by a wall at the proposed height and in full view of the frontage of other properties; if permission is granted a precedent will be set; is the applicant the rightful owner of the land on which the new wall is to be built or has he just assumed ownership?

## **POLICY CONTEXT**

Taunton Deane Local Plan Revised Deposit Policies S1 (general requirements) and S2 (Design) both require that development does not harm the appearance and character of any street scene.

## **ASSESSMENT**

The previous application was refused as it was considered that the wall would constitute an intrusive feature in the street scene, be detrimental to visual amenity and conflict with the open plan nature of the estate. By resiting the wall 0.5 m back from the edge of the

pavement and providing landscaping to soften its impact it is considered that, on balance, the revised scheme overcomes these previous concerns. Therefore, the proposal is considered acceptable.

### **RECOMMENDATION**

Permission be GRANTED subject to conditions of time limit, materials, landscaping. Notes re planting scheme and covenant.

**In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.**

**CONTACT OFFICER: 356468 MR A GRAVES**

NOTES:

