

APPEALS RECEIVED : FOR COMMITTEE AGENDA : 29 SEPTEMBER 2009

Appeal Proposal	Start Date	Application Number
Operation of Minibus Business at 154 Bridgwater Road, Bathpool (Enforcement Action)	01 SEPTEMBER 2009	E0394/48/06
Erection of Agricultural Machinery in Store at Vencroft Farm, Churchstanton (Enforcement Action)	07 SEPTEMBER 2009	E0076/10/08
Change of Use of Land to Domestic Curtilage and Formation of Access and Driveway on Land adjacent to Myrtle Tree Cottage, Saltmoor End, Burrowbridge, (Part Retention of Development Already Undertaken)	07 SEPTEMBER 2009	51/09/0001
Residential development comprising 19 no. 2 and 3 bedroomed affordable houses with parking, access road and associated works at Nynehead Road, Poole, Nynehead, as amended by letter dated 30 January 2009 with accompanying drawing no 08/114/02 rev A	08 SEPTEMBER 2009	26/08/0011

APPEAL DECISION FOR COMMITTEE AGENDA – 29 SEPTEMBER 2009

APPEAL	PROPOSAL	REASON(S) FOR INITIAL DECISION	APPLICATION NUMBER	DECISION
APP/D3315/A/08/2085517/NWF	Use of Land to Site 3no Mobile Homes and Provision of Septic Tank for one Gypsy Family at Sunnysdene, Dene Road, Cotford St Luke, Bishops Lydeard (Revised Siting)	Visual amenity; character and amenities of locality; avoid undue hardship on appellant; preservation and enhancement of local character and distinctiveness of area; ensure continuity of amenity afforded by existing trees, shrubs and hedgerows; satisfactory drainage is provided; highway safety.	06/08/0046	The Inspector considers the shed occupies an isolated and prominent position in the rolling hills of the AONB. It is highly visible from the road and nearby footpaths and the lime green colour of the roof is alien. He therefore concludes that the proposal harms the character and appearance of the surrounding AONB. The shed is located in Flood Zone 3 and the Flood Risk Assessment does not comply with requirements and is in conflict with PPS25. The appeal was therefore DISMISSED .
APP/D3315/C/08/2083953 and APP/D3315/C/08/2083956	Demolition of Building in Conservation Area, Erection of New Building, Erection of Roller Shutters on Exterior Door and Window Openings	Roller shutters fitted to exterior door and window openings without planning permission	E/226/49/2007	Inspector considered the roller shutters on the front elevation are harmful to the street scene and do not preserve the character or appearance of the Wiveliscombe Conservation Area. The appeals were DISMISSED and the Enforcement Notice upheld.
APP/D3315/A/09/2106771/WF	Erection of Extension to the Side of Property including First Floor Extension over garage at 1 Shepherds Hey, Trull	The proposed extension would result in loss of privacy to the amenity areas of the adjoining properties. The Planning Authority	42/09/0002	Inspector considered the proposed extension would remain subservient to the host property and have little impact on the street scene. He did not consider it would result in significant material harm to

		considered that the cumulative effect of the proposed development would not be subservient to the original dwelling and would adversely affect the appearance of the street scene, contrary to Taunton Deane Local Plan Policies S1(D), S2(A) and H17(C).		the living conditions of occupants of neighbouring properties or lead to unacceptable overlooking of the rear garden of No 2. He therefore ALLOWED the appeal.
APP/D3315/A/09/2105152/WF	Change of Use of Land for the Provision of a Temporary Occupational Dwelling in the Form of a Mobile Home for a Period of Three Years at Fairfield Stables, Moor Lane, Churchinford	The proposed mobile home is likely to be visually intrusive in a location within The Blackdown Hills Area of Outstanding Natural Beauty, would be detrimental to the Open Countryside	10/08/0026	The Inspector considered the proposed mobile home would not represent a great intrusion into the AONB, and would not have any significant impact on the setting of the listed building. and ALLOWED the appeal.
APP/D3315/A/09/2101713/NWF	Erection of New Dwelling with Drive and parking/turning Area on Land Adjacent to Furlongs, Shoreditch Road, Stoke St Mary	The site lies beyond the recognised limits of a designated settlement in open countryside The proposed development would derive direct access from a Country Route and, by reason of its distance to services and facilities such as education, employment, health, retail and leisure, would foster a growth in the need to travel. T	37/09/0002	The Inspector concluded that the proposal would represent development in the open countryside breaching a fundamental objective of national policy and set an unacceptable precedent. The highway adjacent to the site is narrow, has no footway and is unlit and adding to pedestrian movements would increase the risk. The appeal was DISMISSED.

APP/D3315/A/09/2104843/WF	Construction of Access Track and Formation of Turning Area to Serve Dwelling and Provide Improved Access to Agricultural Land at Lower Fyfett Farmhouse, Otterford as Supplemented by Letter dated 23 March 2009 (RETENTION OF DEVELOPMENT ALREADY UNDERTAKEN)	The unauthorised use as an access and driveway is not an appropriate use of the land, which is in the Blackdown Hills Area of Outstanding Natural Beauty as the driveway appears as a visual intrusion and detrimental to the visual amenities of the area,	29/09/0004	The Inspector considered the development would significantly harm the character and appearance of the surrounding countryside, within the Blackdown Hills AONB. Access for agricultural purposes could be achieved by a less substantial and visually less intrusive means. New access parking/turning facilities are not essential. The appeal was therefore DISMISSED.
APP/D3315/A/09/2101534/NWF	Erection of a Class A3 Unit and Associated Reconfiguration of Car Parking Arrangement, Deane Retail Park, Hankridge Way, Taunton	The proposed development represents an undesirable intensification of ancillary uses at the Retail Park to the detriment of the vitality and viability of the Town Centre, does not provide sustainable development and fails to satisfy the Sequential Approach to site selection. The proposal would result in the loss of car parking spaces required to serve the existing development and is likely to increase the demand upon the remaining	48/08/0044	The Inspector concluded that the proposed development should be permitted in the light of national and local planning policies on retail and leisure development, planning for town centres and sustainable development. Further conditions relating to materials, landscaping, control of car parking provision and control of details of ventilation and extraction equipment were imposed. The appeal was ALLOWED.

		spaces. Inadequate up to date information has been submitted to assess the impact of the development on the local highway network.		
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TDLP = Taunton Deane Local Plan **SENP** = Somerset & Exmoor National Park