

**TAUNTON DEANE BOROUGH COUNCIL**

**PLANNING COMMITTEE – 26 September 2007**

**1. The following appeals have been lodged:-**

<b>Applicant</b>	<b>Date Application Considered</b>	<b>Proposal</b>
Dr S. Kasai (05/2006/019)	DD	Erection of dwelling at Rumwell Farm, Bishops Hull.
Mr J.W. Hester (43/2006/053)	DD	Erection of dwelling on land to rear of 31 Blackmoor Road, Wellington.
Miss S. Tilley (48/2006/068)	DD	Erection of dwelling at 45 School Road, Monkton Heathfield.
Mr R. Herrod (41/2006/008)	16/08/06	Erection of poultry buildings at Glebe Farm, Tolland (Phases 1 and 2).
Mr J. Gale (29/2006/027LB)	DD	Erection of lean-to conservatory at Lower Fyfett Barn, Otterford.
Glenmill Homes Ltd		Enforcement appeal – Unauthorised erection of fencing on land west of Maidenbrook Farmhouse, Cheddon Fitzpaine.
Hutchinson 3G U.K. Ltd (43/2007/017TEN)	DD	Installation of telecommunications base station incorporating 15m high slimline monopole with 3 No. antennas together with ancillary equipment cabinets at ground level adjacent

		to the Kings Centre, Blackdown Trading Estate, Scotts Lane, Wellington.
Mr D. Grant (48/2007/001)	DD	Erection of two storey extension at Pennystone, Yallands Hill, Monkton Heathfield.
Mr D. Follett and Mrs P. Follett		Appeal against enforcement notice – site at land to the rear of 39 Whitmore Road, Taunton
Anita Jane Pelham Hayes (38/2006/517/LB)	DD	Remove existing 7 upvc double glazed windows and replace with double glazed hardwood windows at 108 South Street, Taunton.
A.P. and S.M. Parris and Son (38/2006/478) (38/2006/479)	DD	Retention of agricultural workshop and machinery repair/ store shed, Sherford Bridge Farm, Taunton.
A.P. and S.M. Parris		Appeal against enforcement notice – site at Sherford Bridge Farm, Sherford Road, Taunton.
Charmaine Packman (24/2006/046) Tracey Holland (24/2006/047) Jim Smith (24/2006/048) Mary O' Neil (24/2006/049)	28/02/07	Change of use of land for the siting of one touring caravan and one mobile home for gypsy occupation and the erection of a day room at Plots No.1, 8, 16 and 7. Greenacres, Oxen Lane, North Curry.

Mr M.J. and Mrs D. Gammon (38/2007/157)	DD	Erection of a two storey extension at 39 Shakespeare Avenue, Taunton
Mr and Mrs R. Brown (36/2007/003)	DD	Erection of first floor extension at The Barton, Woodhill, Stoke St. Gregory
Mr Frounks (48/2007/025)	DD	Erection of 1.8m fence at 70 Meadway, Monkton Heathfield, Taunton
Mr and Mrs Dickinson (43/2007/004)	DD	Erection of 4 new dwellings on land to the south of Foxdown Lodge, Foxdown Hill, Wellington
Mr L. Small and Mrs L. Small (24/2006/043)	28/02/07	Change of use of land for the siting of one touring caravan and one mobile home for gypsy occupation and the erection of a toilet block at Plot 15, Oxen Lane, North Curry.
Mr R.N. Cocking (49/2006/061)	DD	Change of use of kennel block to residential accommodation at Higher Whitefield, Wiveliscombe
Mr and Mrs M. Phillips (14/2007/020LB)	DD	Installation of metal rooflights in place of glass tiles at Rock House, Adsborough
Mr and Mrs C. Powell (31/2007/011)	DD	Conversion of outbuildings and garage to form three holiday units and domestic office Toad Hall, Lower Henlade.

<p>Millfield Nurseries Ltd (20/2006/037) (20/2006/038) (20/2006/039)</p>	<p>28/03/07</p>	<p>Amendment to wording of Condition 05 of permission 20/2005/05, amendment to wording condition 06 of permission 20/2005/05 and amendment to wording of condition 06 of permission 20/2005/022, Millfield Nurseries, Kingston St. Mary</p>
<p>Mr Habib Farbahi (27/2006/023)</p>	<p>24/01/07</p>	<p>Erection of 13 holiday chalets and provision for 50 No. camping pitches and amenity block at land south of Harris's Farm, Hillcommon.</p>
<p>I.P. Evans</p>		<p>Appeal against enforcement notice – the alteration of an existing gateway to form a revised wider access from the classified road leading to Bickenhall into the field immediately adjacent to the Greyhound Inn car park, together with the creation of an earth bank to the rear of the original gateway.</p>
<p>Trevor J. Spurway (Architect) Ltd (38/2007/223)</p>	<p>DD</p>	<p>Conversion and erection of two storey extension to provide four flats at 38 Priory Avenue, Taunton.</p>
<p>Mr T.B. Coles (31/2006/028)</p>	<p>DD</p>	<p>Erection of two storey dwelling with garage following demolition of double garage at 10b Newlands Crescent, Ruishton</p>

## **2. The following appeal decisions have been received: -**

### **(a) Demolition of dwelling and erection of 1 bedroomed flats together with delivery access at 5& 7 Compass Hill, Taunton (38/2005/356)**

The main issue in this appeal was the effect of the proposal on highway safety.

The appellants accepted the need for the delivery bay, which would allow delivery vehicles access to the site without obstructing Compass Hill, which was a busy one way street.

The Inspector did not consider that the proposed development would add to any problems that might arise from the narrowness of Compass Hill and there was no evidence to suggest that vehicle movements from the delivery bay would be higher than if the existing access served one dwelling.

He considered it important that the proposed development did not prevent the highway authority from widening the road, should they wish to do so. However, he felt it was unreasonable to prevent the occupation of the flats until this widening had taken place.

The appeal was allowed, subject to a condition that the delivery bay should be in place prior to occupation of the flats and that the front boundary of the flats should be moved back to allow the road widening.

### **(b) Demolition of the existing garage and the erection of a two storey extension at 12 Tamar Avenue, Taunton (38/2006/425)**

The appeal property was a semi-detached house on the south side of this cul-de-sac. The Inspector noted that the facing elevation of the proposed two storey extension would be only some 200-300mm from the boundary line and would have an overbearing effect on the rear access path to the adjoining property to the east.

The adjoining property also had four windows in the side elevation and the daylight to the ground floor windows of this elevation would be severely restricted by the proposed extension. The first floor window was clear glazed, but the outlook from this would be totally obscured by the proposed extension in such close proximity.

The appeal property would also unbalance not only the pair of which it would be part of, but also the rhythm and run of the houses.

The Inspector concluded that the proposed development would harm both the living conditions of the occupiers of the adjoining dwelling and the character and appearance of the street scene.

The appeal was dismissed.

**(c) Change of use of a BT Repeater Hut, Taunton Road, Milverton, Taunton (49/2006/017)**

The Inspector considered the appeal on the basis it was to be used for storage and an office for administration.

BT had confirmed that the building was previously unmanned and would have been visited only by engineers when they carried out operational duties. The Inspector therefore considered that the proposed storage and office use would be likely to generate significantly more traffic, even if it were only used by one person.

There had been a series of reported accidents in the vicinity of the appeal site. Accordingly any increase in traffic to the building should be provided with safe access and turning facilities. Whilst this could be achieved from the east it could not be achieved to the west without relying on land which was outside the appeal site. Given the likely speed and volume of traffic on the road together with its accident record, the Inspector considered that the alternative of parking on the road would be seriously detrimental to highway safety.

The Inspector acknowledged that the site might fall into disrepair without a beneficial use, but any benefit which arose would be outweighed by the harm to road safety.

The appeal was dismissed.

**(d) Erection of an oak and stone conservatory at Lower Fyfett Barn, Otterford, Chard (29/2006/027LB)**

The appeal property was part of a group of former agricultural buildings associated with the adjacent Grade II listed 19<sup>th</sup> century dwelling. Although it had been converted into residential use the appeal property and others in this group had a simple form, reflecting their former use and complemented the setting of the farmhouse.

The proposed conservatory would match the materials in the external finish of the appellant's dwelling. However, it would be a prominent addition on one of the main elevations and would disrupt the simple form and architectural qualities and detract from the setting of the listed farmhouse.

The Inspector concluded that the proposal would erode the character of the building and harm the integrity of the group.

The appeal was dismissed.

**(e) Erection of a dwelling and demolition of prefabricated garage and re-siting of front door to existing house at 45 School Road, Monkton Heathfield, Taunton(48/2006/068)**

The Inspector noted that the development would be located in a street which contained a mixture of semi-detached and terraced housing as well as some flats and a local convenience store.

The proposed dwelling would occupy a corner plot and would be readily visible from large sections of the street. It would however be designed and finished to match neighbouring dwellings. The new dwelling would also be set back from the road with space retained between the building and the back of the footways. This would ensure that the proposal was not unduly prominent within the street scene and would avoid any cramped effect.

The Inspector saw the relationship between the appeal site and neighbouring dwellings and did not consider it resulted in any harmful overlooking of adjacent properties.

The appeal was allowed subject to conditions.

**(f) Display of poster panel on garage at rear of Lowdens House Hotel, 26 Wellington Road, Taunton (38/2007/033A)**

The main issue was whether the sign harmed the character and appearance of the surrounding area.

Although the sign was modest, it occupied much of the wall of the garage. Along the road frontage and behind the garage there were mature trees and shrubs.

The nearest houses were some way away and as a result the garage stood out as the only building along this side of the road. The area was dominated by the Tesco store and its car park, but these were on the other side of the road.

The sign was mostly seen in the context of the garage and the surrounding trees and stood out as incongruous and harmful.

The appeal was dismissed.

**(g) Erection of three dwellings and car parking spaces – land to the rear of 39 & 47 Trull Road, Taunton (38/2006/339)**

The main issues of this appeal were whether the proposed dwellings would preserve or enhance the character and appearance of the Conservation Area and whether they would have any unacceptable implications for road safety.

The proposal would represent a small scale housing development on a brown field site in a sustainable location and would make a contribution to meeting acknowledged housing needs.

This area supported fairly grand properties in spacious surroundings, whereas a terrace of three relatively low terraced houses on an attractive garden

abutting the area would neither enhance the character or appearance of the immediate surroundings. On the contrary they would represent an incongruous feature resulting in a permanent loss of openness.

With regard to road safety, Trull Road was a busy Class 3 road and its junction with Haines Hill was characterised by poor visibility to the extent whereby the Inspector felt that no additional site should be encouraged.

The appeal was dismissed.

**(h) Formation of a new access to a cattery at Abbeywood House, Churchinford, Taunton (29/2006/022)**

Planning permission had been granted in July 2006 for the erection of a cattery building and mobile dwelling on the appeal site. There was an existing cattery elsewhere, within the grounds of Abbeywood House.

The new cattery buildings would be quite well screened from the lane passing the site by a plantation of trees.

The plan submitted with the current application showed the formation of an access with a drive through the plantation to the approved car parking area for the cattery.

The Inspector considered the proposal would harm the landscape character of the area and result in the unnecessary loss of existing trees.

The cattery as permitted could use the existing access further to the south of Abbeywood House. The existing cattery also used that access and this had caused no particular difficulty. The Inspector could see no need for the proposed access sufficient to outweigh the harm to the landscape he had identified.

The appeal was dismissed.

**(i) (a) Change of use, conversion and extension to form dwelling at the Pound House Trents Farm, Churchinford (10/2005/023)**

**(b) Removal of onerous condition 05 of planning permission 10/2003/018 (10/2006/006)**

**(c) Extension of dwelling at The Pound House, Trents Farm, Churchinford (10/2006/023)**

Due to the complexity of the Inspector's decision letter, a full copy is attached for the information of Members at Appendix A.

Appeal A was dismissed and Appeals B and C were allowed. Costs were also awarded against the Council in relation to the Appeal B proceedings.



