

**TAUNTON DEANE BOROUGH COUNCIL**

**PLANNING COMMITTEE – 14 DECEMBER 2005**

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

<b>Applicant</b>	<b>Date Application Considered</b>	<b>Proposal</b>
Mr P. Elliott (43/2004/165)	DD	Erection of a two storey extension at 5 Ardwyn, Wellington
Mr D. Cleere (48/2004/074)	26/01/05	Retention of detached garage at 4 Kyrenia Cottage, School Road, Monkton Heathfield
Paul Dadson	-	Appeal against Enforcement Notice - Site at Rebmit House, Ladylawn, Trull
Gadd Homes Ltd (38/2004/570)	16/02/05	Residential development at Pollards Yard, off Pollards Way Wood Street, Taunton
Mr C. Lister (38/2004/582)	DD	Erection of dwelling adjoining 63 Normandy Drive, Taunton
Secondsite Property Holdings Ltd (38/2004/493)	-	Appeal against non-determination – Residential development on former gas storage site, Castle Street, Taunton
Kings of Taunton (34/2005/006A)	30/03/05	Display of various signs at Kings of Taunton, Cook Way, Bindon Road, Taunton
Mr A. Merryfield (38/2004/554)	DD	Replace existing timber window frames with upvc at Larkspur Court, Gypsy Lane, Taunton

T.J and B.J. Priscott (21/2004/026)	03/11/04	Erection of stables for DIY Livery and improvement to access at Bindon Farm, Langford Budville
Mr and Mrs Keitch (06/2004/062)	26/01/05	Use of amenity land as domestic curtilage and erection of railings at 10 Bethell Mead, Cotford St. Luke
Jet-Set (EU) Ltd (25/2005/007)	15/06/05	Erection of units for special needs accommodation at Trenchard House, Trenchard Park Gardens, Norton Fitzwarren
Mitchell Developments Ltd (38/2005/052)	20/04/05	Erection of flats and parking at Eastwick Farm Cottage, Eastwick Road, Taunton
Countryside Construction (38/2005/121)	DD	Erection of block of 5 flats on land to rear of 87 Staplegrove Road, Taunton
Executors of W.G. King (06/2005/015)	15/06/05	Residential development following the demolition of existing industrial buildings, Kings Yard, Taunton Road, Bishops Lydeard
Mr & Mrs A.G. Peace (43/2005/055)	DD	Erection of dwelling on land adjacent to 28 Longforth Road, Wellington
Mr J. Fussell (29/2005/010)	DD	Erection of dwelling on site at Yalham Barton, Culmhead
Mr R.J. Jeanes (14/2005/020)	18/05/05	Demolish agricultural building and erect single dwelling, utilising barn to provide garaging at Ham Farm, Ham, Creech St. Michael

Mr P. Myles (38/2005/251)	DD	Formation of vehicular access to 4 Greenway Road, Taunton
Tamlyn and Son (Wellington) Ltd (43/2005/092)	DD	Change use of ground floor and basement from retail (A1) to Estate Agency and Surveyors Office, 3 Fore St, Wellington
Mr and Mrs W.J. Webb (24/2005/028)	DD	Erect extension and garage and extend residential curtilage into paddock, The Lodge, 7 Knapp Lane, North Curry
Mr Meads (32/2005/007)	DD	Retention of change of use from holiday let to separate permanent dwelling and formation of access and parking area, The Retreat, Sampford Moor, Wellington
Unique Homes Ltd (24/2005/045)	DD	Demolition of dwelling and erection of replacement dwelling and garage at Listock Farmhouse, Helland, North Curry
Glenmill Homes Ltd (08/2005/014)	02/11/05	Erection of a dwelling on land to the west of Maidenbrook Farmhouse, Cheddon Fitzpaine, Taunton

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

**(a) Erection of a dwelling to the rear of 9 Jeffreys Way, Taunton (52/2004/037)**

No.9 Jeffreys Way was located within an area of individual detached houses built at a relatively low density. The site occupied a corner plot with large garden and a return frontage, which the Inspector felt did offer the opportunity to build a new house at the rear.

The Inspector considered though that a single infill case like this would impact upon the character of the area and upon the living conditions of the adjoining residents.

Although the plot was large enough to accommodate a house, the Inspector was concerned that it would appear cramped and out of place with other properties and would leave the existing house with only a 6 metre rear garden. He recognised that the main rooms of 9 Jeffreys Way would not be overlooked or lose any light, but thought that the proposed dwelling would appear too close in the context of the general pattern of development.

The appeal was dismissed.

**(b) Erection of a dwelling on land to the north of Broomhay, Hyde Lane, Bathpool (48/2004/036)**

The appeal site was within the settlement limits of Bathpool and within the flood plain of Allen's Brook. The Inspector felt that the main issue was whether the proposal would be affected by the intrusion of flood water, such as to restrict the access road and place additional burdens on the emergency services.

Major flood alleviation works had been carried out since the significant flood in 1960, but further flooding had occurred in 2000, which the Environment Agency considered might indicate changing river response reducing the level of service afforded by the scheme.

Due to the flooding in 2000, there was some uncertainty about the existing flood defence works and the Inspector felt that no further residential development should be permitted until the uncertainty concerning flood defences was resolved.

The appeal was dismissed.

**(c) Erection of house and garage and formation of access together with provision of new access and garage to existing dwelling at Meadows Edge, Corfe (12/2004/001)**

The Inspector considered that the main issue was the effect that the proposal would have on the character and appearance of the Conservation Area.

The house would occupy one of the gaps in the street frontage and the Inspector felt that due to its size, its dominant relationship to the Forge Cottage outbuilding and its close proximity to the road, the proposed new house would be too large for its plot.

He also felt that the proposed wall rendering and use of non traditional bell casts would be unfortunate and believed that the cumulative effect would be a house which would resemble a volume-built, anonymous, large house with few of the features which marked the local distinctiveness of the Conservation Area.

In conclusion, the Inspector was of the view that the cramped nature of the proposed house would not enable the character or appearance of the Conservation area to be preserved or enhanced.

The appeal was dismissed.

(d) **Use of proposed holiday lodge permitted under planning permission 03/2003/603 for Manager's accommodation, Exmoor Gate Lodges, Waterrow, Wiveliscombe (03/2004/004)**

Planning permission for a holiday lodge had been granted in June 2003. The lodge had not yet been constructed and new permission was sought for the same building on the same site, but for use as manager's accommodation.

The Inspector considered the reasons given by the appellant for requiring accommodation on site which included the need to properly manage the facility, to benefit economic activity, reduce the need to travel to and from the site and to facilitate the growth of the business. However, the Inspector did not feel that these amounted to a need to live on site. He felt that the activities could be carried out from an office within the scheme.

The Inspector felt that use of the proposed building as manager's accommodation was quite different to the consent for a holiday lodge.

The appeal was dismissed.

(e) **Creation of two ground floor flats at Salisbury Cottage, The Mount, Taunton (38/2004/421)**

The Inspector felt that the main issue was the standard of amenities, which would be experienced by the occupiers of the proposed flats.

The ground floor of the building formed an "L" shape around a large storage building with a pitched roof, built from pre-cast concrete panels. The eaves of the storage building were well above the level of the existing and proposed ground floor windows.

The Inspector felt that the presence of the store would affect the outlook from, and the light reaching, three windows of the flat in the single-storey extension, these serving the bedroom, the kitchen and the bathroom and two windows of the second flat, these serving the kitchen and the bathroom. In his opinion, all these rooms would be extremely gloomy and the outlook would be restricted to the blank walls of the store. He considered that this would be a poor standard of accommodation.

The appeal was dismissed.

(f) **Retention of flat roof dormer window with uPVC cladding replaced by tile hanging at 15 Eastbourne Gate, Taunton (38/2004/390)**

The Inspector felt that the main issue was the effect of the proposed development on the character and appearance of existing dwellings and the wider area.

The Inspector noted that the use of the large dormer window was out of scale and character and upset the unity and architectural integrity of the original design at roof level. The proposal to replace the uPVC cladding with hanging tiles would not address the problem of the excessive scale and bulk of the roof extension.

The appeal was dismissed.

(g) **Removal of Condition 02 of planning permission 10/2000/022 to allow garage to be used for residential accommodation at Ford Barton, Moor Lane, Churchinford (10/2004/008)**

The site was in a rural area outside the defined limits of Churchinford where new development was controlled by Policy S8 of the Taunton Deane Local Plan. The sale of the building separately from the main house was controlled by a S106 Agreement and therefore the scheme was subject to Policy H20, which dealt with the development of ancillary residential accommodation.

Although the removal of condition 02 would allow the ground floor of the building to be formed into residential accommodation, there was already such use at first floor level. The increased scale of residential use would not breach Policy H20 and therefore removal of the condition would not be in conflict with that Policy.

The Inspector felt that the removal of the condition would reduce the availability of garaging on the site although there was a substantial area of driveway and parking which was set back from the road. He felt that it was unlikely that cars would park in the road as a result of the loss of garaging. The parking area was well screened and cars parked within the site would not be conspicuous in the surrounding area. He therefore concluded that the condition was not necessary.

The appeal was allowed and planning permission granted.

(h) **Demolition of a redundant non-original chimney stack and thatch over 24 Mount Street, Bishops Lydeard 06/2004/034LB**

The appeal property was a Grade II listed building within the Bishops Lydeard Conservation Area. The Inspector considered the main issues were whether the proposals would preserve the special architectural and historic interest of the building and preserve or enhance the character or appearance of the conservation area.

The Conservation Area included an attractive collection of vernacular cottages roughly centred on a fine church with Somerset tracery. The appeal property lay close to the church and contained most of the structure of a medieval open hall house and the Inspector agreed with the listing that the house was probably 15<sup>th</sup> century. The Inspector felt that the property could have been the oldest surviving building in Bishops Lydeard and would have been built for someone of local wealth and importance. He viewed that the property was of considerable historic interest.

The Inspector accepted the appellant's assertion that the chimney was not original and agreed it was redundant. He accepted that the upper brickwork was relatively recent, but still served as a reminder of the stack and the development of the house over time.

The Inspector noted that the appellant was anxious about the stability of the chimney and rainwater. However, he saw no obvious evidence of instability and no information to suggest structural monitoring had taken place. He also saw that the lead flashing to the lower part of the stack needed repair while the wall

below had been re-rendered. He considered that appropriate expertise was available to resolve the problem without recourse to removing any part of the chimney.

For the above reasons he found that the proposal would harm the listed building and the conservation area contrary to advice in Planning Policy Guidance Note 15 (PPG15) and relevant development plan policies.

The appeal was dismissed.

- (i) **Proposed erection of 21 metre high lattice tower, with up to 6 aerials and 2 dish antenna at south west end of Green's Covert, Nr Thistlewood Bridge, Walcombe's Farm, Bishops Lydeard (22/2004/004)**

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

The appeal was dismissed.