

TAUNTON DEANE BOROUGH COUNCIL

PLANNING COMMITTEE – 25 JANUARY 2006

1. The following appeals have been lodged: -

Applicant	Date Application Considered	Proposal
Mr J.S. Butt and Miss H. Clarke (23/2005/025)	DD	Erection of extension to side and rear of 4 Colesmore, Milverton
P.F. and A. Kemp (36/2005/017)	02/11/05	Retrospective application for the change of use, conversion and alteration to building to form holiday accommodation together with erection of wind turbine at Higher House Farm, Helland, Stoke St Gregory
Mrs M. Vine and Mr M. Gibbins (38/2005/426)	23/11/05	Erection of 8 No. one bedroom flats with demolition of 3 garages, on land to rear of 51-53 Cheddon Road, Taunton
Mr & Mrs Foster (06/2005/041)	DD	Erection of two storey extension at Yeomans, East Combe, Bishops Lydeard

2. The following appeal decisions have been received: -

(a) Display of various signs upon and around Kings of Taunton, Cook Way, Bindon Road, Taunton (34/2005/006A)

The Inspector felt that the main issue was the effect of the signs on amenity and public safety.

The appeal premises were located on the south side of Bindon Road on the corner of its junction with Cook Way. There were other commercial uses on the same side of the road, whereas to the north of Bindon Road was a fairly well screened residential estate. Fascia signs 1, 2 and 7 would replace existing signs and would fit neatly at fascia level, as an integral part of the main showroom. The Inspector felt that they would not stand out and would be seen in the commercial context.

Sign 11 was a freestanding pylon sign and sign 12, a group of three flags. The flags measured 6m x 1.5m and would be mounted on poles of 12m at the western end of the frontage. The pylon sign would measure 4.5m x 0.87m and would be sited at the eastern end of the frontage, where the Inspector felt it would not create a problem for drivers. However, these signs would be positioned away from the main building and would stand out as unduly intrusive features in the street scene.

The Inspector concluded that the conditional display of signs 1, 2 and 7 would not be detrimental to the interests of amenity but the display of signs 11 and 12 would be.

The appeal was allowed in part.

(b) Removal of grilles from ground floor windows at 25 Fore Street, Taunton (38/2004/415LB)

The Inspector considered the main issues in this case were whether the proposed works would preserve the special architectural and historic interest of the listed building and their effect on the character and appearance of the Conservation Area.

The Inspector was of the opinion that the substantial contribution the grilles made to the building's history outweighed the small amount to which they could be argued to detract from the architectural interest of the original building. He felt that the loss of the grilles would harm a prominent building within the Conservation Area and that the character and appearance would also be harmed.

He noted that the grilles might retain litter, the lack of a clear shop window might act as a deterrent to prospective occupants, that being vacant for a long time could harm the special interest and that at present the grilles were not complete. Nonetheless, he found that on balance the removal of the grilles would harm the special interest of the listed building and the Conservation Area.

The appeal was dismissed.

(c) Replacement of wooden windows with new UPVC double glazed windows at Larkspur Court, Gypsy Lane, Taunton (38/2004/554)

The appeal property was a substantial detached building with the original part forming a Victorian villa. The building had been extended in a more modern design, but the Inspector considered the extensions did not detract from the quality of the original building. Although the building was not listed or within a Conservation Area, it did have some merit. The Victorian building retained the majority of its timber sash windows which made an important contribution to its character and appearance and he found the building an attractive feature in an otherwise undistinguished street scene.

The Inspector considered that the modern style of the UPVC windows proposed would be out of keeping with the character of the original part of the building and would not be an appropriate replacement for the sash windows.

The Inspector concluded that the proposal would be harmful to the attractive appearance of Larkspur Court and would detract from the contribution that the property made to the locality.

The appeal was dismissed.

(d) Display of various internally illuminated and non-illuminated signs at Morrisons Supermarket, Priory Bridge Road, Taunton (38/2004/557A)

The Inspector felt that the main issue in this appeal was the visual impact of the signs on the premises and their wider impact within the surroundings.

The appeal signs measured 1.84m x 1.937m. They were sited on different sides of a tower feature at the north west end of a superstore, one facing north, the other facing west. The Inspector considered the tower to have a vertical emphasis, which was reflected by the colonnade openings at lower level.

He felt that the appeal signs, which would have a central position on the brickwork, would not conflict with the horizontal aspects of the design of the tower.

In the Inspector's opinion the signs, when illuminated, would not cause unnecessary disturbance to occupants in properties in Station Road and Bridge Street as the signs would be quite a distance from these properties.

The appeal was allowed and express consent was granted for the signs, subject to conditions.

(e) Erection of stables for DIY livery and improvements to access at field NG ST1123/2308, east of Langford Budville (21/2004/026)

The Inspector felt that the main issue was the effect the proposed new access would have on the rural character and appearance of the area.

The proposal involved the creation of a new access off a fairly narrow rural lane leading to the village of Langford Budville, which would replace an existing field access. There was limited visibility from the access, making it difficult to use and unsuitable for any increase in use.

At this point the lane was lined by hedgebanks topped with shrubs, mainly bramble and hazel, with the occasional small tree. The new access would be situated on the outside of a shallow bend and would be set back to provide visibility splays. The Inspector noted that this would require the removal of 25 metres of the existing hedge, with a further 15 metres requiring trimming to provide visibility on the bend.

The Inspector considered the planting of a new hedge would have no real impact on local field patterns or the character of the lane.

A new feature would be introduced with the formation of the visibility splays, but they would be limited in size and could be planted with grass or low growing species.

The Highways Authority had no objection to the reduction in the normal 45 metre visibility splays and the Inspector noted that because of the location on the outside of a bend, the access would not be dangerous.

The appeal was allowed and planning permission granted subject to conditions.

(f) Erection of a two-storey extension to the side and rear of 5 Ardwyn, Wellington (43/2004/165)

Numbers one to fifteen Ardwyn were four pairs of semi-detached houses dating back from the first half of the 20th century. They were prominently raised above the level of the road and whilst some had single-storey garages at the side, the main front elevations presented an attractive balanced appearance.

The proposed extension would extend almost up to the boundary of number three and there would be a considerable gap between the side of number five and the flank wall of number three. The Inspector felt that because the new extension would be flush with the main front elevation, it would not appear as a subordinate feature. He felt that the extra width created by the extension would give an unbalanced effect on the front elevations of this pair of houses, detracting from the character of the whole row.

Although amendments had been made to reduce the height and width of the extension to the rear of the property, he considered that these did not justify the harmful effects of the proposal.

The appeal was dismissed

(g) Erection of a dwelling at Yalham Barton, Culmhead (29/2005/010)

The site formed part of the residential curtilage of Yalham Barton, which was situated within a small complex of barn conversions. The appellant suggested that the proposed development would benefit the local economy by providing increased custom to local tradespeople and shops. However, the Inspector considered that the limited economic benefits claimed for the proposal failed to satisfy the stringent sustainability requirements.

The appellant also suggested that the nearest villages were within cycling distance as well as being accessible by bus. However, the Inspector considered that the site had limited access to public transport and combined with the practical limitations of cycling, the occupants of the proposed dwelling would be heavily dependent on the private car.

The Inspector concluded that the proposal would amount to inappropriate and unsustainable development in the countryside harmful to the character and beauty of the Blackdown Hills and considered that the harm caused by the proposal outweighed the benefit of making more efficient use of this previously developed land.

The appeal was dismissed.

(h) Demolish agricultural building and erect single dwelling, utilise barn to provide garaging at Ham Farm, Ham, Creech St Michael(14/2005/020)

The appeal site was an agricultural barn, yard and livestock pens with frontage and vehicular access onto an unclassified road through the settlement of Ham. The surrounding area was largely residential, with further agricultural buildings and yards to the rear of the appeal site.

The result of the proposed development would be to make the roadside frontage in this part of the settlement entirely residential. From his observations, the Inspector felt that the mix of agricultural and residential uses contributed to the character and distinctiveness of Ham. The loss of this section of agricultural road frontage and its conversion to residential use would establish a more urban streetscape, which would detract from the settlement's form and setting.

The appeal site was in an area where development policies presumed against new building. Despite the appellant's contention that the plot was an infill plot, the Inspector considered that the site was an integral part of the agricultural enterprise.

Ham did not benefit from public transport services and the occupiers would therefore be dependant on private motor vehicles on a regular basis. The proposal would foster growth in the need to travel, which added to the Inspector's concerns.

The appeal was dismissed.

(i) Erection of a dwelling on land adjacent to 63 Normandy Drive, Taunton (38/2004/582)

The appeal site was within a large-scale open grassed area adjoining a row of terraced houses, within a 1960s estate. The Inspector felt that the proposed dwelling would not appear cramped nor detract from the character and appearance of the area.

In coming to this decision, the Inspector considered the two semi-mature Norway Maple Trees within the site, which were subject to a Tree Preservation Order. One of these trees would be lost if the proposed dwelling was built. However, this tree had an inclusion union, which would lead to its failure in any event. The mature Lawson Cypress Trees, which were particularly close to the existing house, would also be lost.

Despite the loss of these trees, it was noted that there was more than adequate space retained within the site for replacement planting.

The Inspector acknowledged that the proposal would project to the rear of No.63 but it would be of limited depth and would not cause unacceptable loss of light.

The appeal was allowed subject to conditions.

(j) Removal of condition 03 of planning permission 10/1998/023 in order to allow ancillary accommodation to be used as a separate dwelling at Northdown House, Churchinford (10/2004/010)

Condition 03 of permission 10/1998/023 stated that the ancillary accommodation permitted should not be used as a separate unit of accommodation.

The Inspector felt that the main issue was the justification for creating a new dwelling taking into account current local plan policies.

The justification put forward by the appellant was that there was an approved residential use which had commenced and that the proposed separate use would not cause visual harm.

In the Inspector's view, the original application was effectively for an extension of the existing domestic use. Permission had been granted on the basis that that would be consistent with rural settlement policy as long as the converted building was not used as a separate dwelling.

The Inspector saw no reason to take a different view even though permission had recently been granted that would allow the building to be used as holiday accommodation.

The appeal was dismissed.

(k) Residential development comprising seven dwellings, on land to the west of Lydeard Mead, Bishops Lydeard

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.

(l) Erection of units for special needs accommodation and proposed extensions at Trenchard House, Trenchard Park Gardens, Norton Fitzwarren (25/2004/006, 25/2004/007 and 25/2005/007)

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

The appeals were dismissed. A partial award of costs was made against the Council.

