

**TAUNTON DEANE BOROUGH COUNCIL**

**PLANNING COMMITTEE – 26 JANUARY 2005**

1 The following appeals have been lodged:-

<b>Appellant</b>	<b>Date Application Considered</b>	<b>Proposal</b>
Whipcoot Developments Limited (03/2004/004)	DD	Use of proposed holiday lodge permitted under planning permission 03/2003/603 for Manager's accommodation, Exmoor Gate Lodges, Waterrow, Wiveliscombe
Mr and Mrs H Welsh (10/2004/010)	DD	Removal of condition 03 of planning permission 10/1988/023 in order to allow the ancillary accommodation to be used as a separate dwelling with new domestic curtilage, Northdown House, Churchinford
A J Raucki & Son (06/2004/025)	8/9/04	Residential development comprising seven dwellings, land to west of Lydeard Mead, Bishops Lydeard
Dr J L Rees (49/2004/022)	7/7/04	Erection of dwelling and garage with alterations to drive, land at Hartswell House, Wiveliscombe
Jet-Set (EU) Limited (25/2004/006)	7/7/04	Erect one bedroomed units for special needs accommodation in several one or two storey buildings in association with Trenchard House, Trenchard Park Gardens, Norton Fitzwarren
Badger Street Properties (48/2004/036)	DD	Erection of dwelling on land to north of Broomhay, Hyde Lane, Bathpool
R C Mitford-Slade (27/2004/016)	DD	Conversion of barns into two holiday lets at Whipprells Farm Buildings(part Pontispool Farm), Norton Fitzwarren
Strong Vox (38/2004/244)	18/8/04	Erection of 37 dwellings on site of former South West Egg Packers

		Factory at Roman Road, Taunton
Mr B Fear (52/2004/037)	29/9/04	Erection of a dwelling to the rear of 9 Jeffreys Way, Taunton
Jet-Set (EU) Limited (25/2004/007)	7/7/04	Erection of extensions to form additional special needs accommodation and change of use of property to special needs at Trenchard House, Trenchard Park Gardens, Norton Fitzwarren
Gadd Homes Limited (38/2004/261CA and 287)	8/9/04	(1) Demolition of former gymnasium to rear of former Four Alls Public House; and (2) Alteration and extension of former Four Alls Public House to accommodate Class A3 (food and drink use) together with 19 flats and provision of car parking and cycle storage at the Four Alls, Corporation Street, Taunton
Mr & Mrs R Smith (11/2004/013)	DD	Erection of conservatory at Combe Down Barn, Combe Florey
Parkgate House Limited (25/2004/015)	13/10/04	Erection of dwelling on land adjacent to 23 Manor Park, Norton Fitzwarren
Rileys Limited (38/2004/366A)	DD	Illuminated and non-illuminated fascia signs and projecting sign, Rileys, 1 Kingston Road, Taunton
Mr & Mrs B Weston (38/2004/247)	DD	Erection of first floor side extension at Home Cottage, 117 Galmington Road, Taunton
Quantic Properties Limited (12/2004/004)	18/8/04	Erect house and garage, formation of access together with new garage and access to existing house at Meadows Edge, Corfe
Mr M R Liddle (38/2004/390)	DD	Retention of flat roof dormer window with UPVC cladding replaced by tile hanging at 15 Eastbourne Gate, Taunton
Mr J Isaacs	-	Appeal against enforcement notice –

		Unauthorised siting of two mobile homes and two touring caravans for single gypsy family at Two Acres, Ford Street, Wellington
Mr A S Leeming	-	Appeal against enforcement notice – Change of use of part of property for the purposes of operating a business at 33 Alma Street, Taunton
Mr T Sparrow & Mr N R S Smith	-	Appeal against enforcement notice – Change of use of land for the hire and storage of cranes at Creech Mills, Mill Street, Creech St Michael
Gadd Homes Limited (38/2004/324)	29/9/04	Erection of eight houses and 53 flats and formation of access at Pollards Way, Wood Street, Taunton
J Kearns (06/2004/034LB)	DD	Demolition of chimney stack and thatch over, 24 Mount Street, Bishops Lydeard
Robert Hitchins Limited (06/2004/039)	8/9/04	Erection of 4 dwellings with associated works, land north of former hospital buildings, Cotford St Luke
Clear Channel UK Limited (48/2004/060A)	DD	Erection of 2 sheet advertisement display panels, Bathpool Bridge, Bridgwater Road, Taunton
John R & Colin R Selwood (38/2004/421)	DD	Change of use of ground floor from massage parlour to two self-contained flats at Salisbury Cottage, The Mount, Taunton
Call in by First Secretary of State (06/2004/013 and 014LB)	28/7/04	Demolition of some existing buildings repair, refurbishment and conversion of retained existing buildings into 25 self-contained dwellings, restoration of the park land and erection of 45 dwellings at Sandhill Park, Bishops Lydeard
Mr J Holland and others	-	Appeals against enforcement notice –

		Change of use of the land to a permanent gypsy site for 16 mobile homes, 16 caravans & 15 utility dayrooms at Greenacres, Oxen Lane, North Curry
P Jotcham (38/2004/409)	DD	Erection of single storey dwelling on land to the rear of 209 Staplegrove Road, Taunton
Parkgate House Limited (25/2004/026)	DD	Erection of a dwelling on land adjacent to 23 Manor Park, Norton Fitzwarren (resubmission of 25/2004/015)

2 The following appeal decisions have been received:-

**(a) Erection of two storey side extension at 2 Hine Road, Taunton (52/2003/062)**

The Inspector felt that the main issue was the effect of the proposal on the character and appearance of the surrounding residential area.

The proposal involved building on what was at present a grassed area next to the corner of Hine Road and Queensway. There were other undeveloped areas within the residential estate which gave it a reasonably spacious character. The Inspector noted the Council's desire to safeguard the overall character of the area.

Although the impact of this development would not seem great, in the Inspector's judgement it would be significant. As the appeal property stood in a slightly elevated position in relation to Queensway, and because of its position on a street corner, the extension would be quite prominent. He also shared the Council's concern about the cumulative effect of this type of development, particularly bearing in mind the presence of similar parcels of open space in the area.

The appeal was dismissed.

**(b) Demolition of bungalow and erection of two dwellings, Sundown, Curvalion Road, Creech St Michael (14/2004/011)**

The Inspector felt that the main issue was whether the traffic generated by the proposal would cause hazards to road safety at the junction of Curvalion Road with St Michael's Road.

The site accommodated a modest bungalow which was proposed to be replaced by two family dwellings. Access was onto Curvalion Road, a single track lane with two access points onto St

Michael's Road. There was no record of any accidents at the junctions, despite it having served a number of dwellings, including a bed and breakfast business.

It was estimated that the size of the properties proposed would generate eight to ten vehicle movements per day onto St Michael's Road, which was already well used.

Visibility from both junctions was sub-standard and at both the northern and southern junction, visibility was so far short of the normal standard as to constitute a positive hazard.

The Inspector concluded that the additional vehicle movements which would be generated by the scheme would add to the existing hazards to traffic at the two junctions resulting in a significant risk to road safety. This would be both unacceptable and in conflict with the emerging Local Plan policy.

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 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.

**(c) Change of use of land to form residential curtilage and conversion of barn to form dwelling at barn to the east of Higher Chapel Leigh Farm and to the north of Sandings Lane, Chapel Leigh, Lydeard St Lawrence (22/2004/001)**

The Inspector felt that the main issues were whether the existing barn was of a suitable size and construction to enable a conversion which would not be harmful to its rural surroundings; whether the proposal would have access to adequate services such as to prevent a growth in the need to travel; and whether the proposed access point could be used safely without harm to the character of the area.

The barn was located outside the confines of any settlement and although the surveyor assessed the building as sound it had only three main stone walls remaining. With so little left of the original structure,

the Inspector did not consider it to be of substantial construction which would require no significant rebuilding.

The Inspector felt that the conversion would result in a significant alteration to the appearance of the site. The building would be more noticeable once renovated and converted, and the site would become more domestic in character, out of keeping with its present rural appearance.

In terms of the sustainability of this location for a new dwelling, the Inspector considered it would be remote from any public transport provision and too far from shops, schools and other services to be accessible by walking or cycling.

With regard to the access, he felt that the visibility for drivers leaving the site would be substandard and likely to cause hazards for traffic using the access and the lane. To improve visibility it would be necessary to cut back the hedge but this would have an unacceptable impact on the rural character and appearance of the lane.

The appeal was dismissed.

**(e) Erection of a triple garage at Seaforde Grange, Dairy House Lane, Bickenhall (04/2004/002)**

The Inspector considered that the main issues were the effect of the garage on the character and appearance of the open countryside and the implications of the development for sustainable travel.

She felt that the proposed position of the garage sought to minimise landscape impact by making the maximum use of screening and the lie of the land.

Although the footprint of the proposed garage was larger than that of the existing garage, the Inspector felt that its massing would be reduced with the hipped roof. It was considered that the effect of the proposed garage on the character and appearance of the countryside would be acceptable.

The issue of sustainable travel was considered and, whilst she recognised the objective to encourage sustainable forms of transport, there was ample parking for more than 3 cars within the curtilage of Seaforde Grange and restricting the size of the garage would therefore not in itself achieve this objective.

The appeal was allowed and planning permission granted.

**(f) Erection of a new dwelling in the rear garden of 2 Clifford Avenue, Taunton (38/2004/051)**

The Inspector felt that the main issue was the effect upon the character and appearance of the area.

The Inspector noted that the houses in Clifford Avenue comprised large buildings with relatively long rear gardens. He felt that the mature planting and open qualities of these long gardens provided an attractive setting to the houses in Clifford Avenue and also made a pleasing contribution to the street scene of nearby Kingston Road.

Although the proposal would make a very small contribution towards the overall supply of housing within the town, the requirements for new housing were that they should be provided without compromising the quality of the existing environment.

In the Inspector's opinion, the proposal would entail a considerable loss of space from this prominent corner plot and would appear cramped. It would also contrast awkwardly with the spacious qualities and setting of the properties to the north.

He concluded that the development would detract from the character and appearance of the area.

The appeal was dismissed.

**(g) Erection of two storey rear extension at 9 Willey Road, Stoke St Gregory (36/2004/002)**

The Inspector felt that the main issues in this case were the effect of the proposal:-

- (a) on the character and appearance of the existing dwelling and the surrounding area; and
- (b) on the living conditions of the occupiers of No.10 Willey Road in terms of loss of outlook and light.

The property was one of a group of eight semi-detached dwellings set in rural surroundings. It occupied a prominent position adjacent to a recreation ground and the rear of the property was clearly visible from that public viewpoint.

The property was the only one of the eight dwellings that already had a two storey extension, which was nearing completion. The current proposal, which involved a further two storey extension in place of an approved conservatory, would significantly increase the scale of the existing dwelling.

He also felt that when viewed with the approved extension, the proposal would result in an extension that could not be described as being subservient to the existing dwelling.

The proposal would be less than one metre away from the common boundary with 10 Willey Road and would result in a reduction in outlook and a sense of enclosure, as well as a material reduction in sunlight.

In conclusion the Inspector felt that the proposal would be harmful to the character and appearance of the existing dwelling and surrounding area and to the living conditions of the occupiers of 10 Willey Road.

The appeal was dismissed.

**(h) Erection of a dwelling for use as a unit of multiple occupation (6 bedrooms) at land adjacent to 14 Greenway Road, Taunton (38/2003/650)**

The Inspector felt that a history of anti-social behaviour by the occupiers of the existing building had influenced the Council's decision to refuse planning permission. He agreed with the Planning Officer that the behaviour was the result of the management of the accommodation rather than its built form.

He noted that no evidence had been produced that the current proposal would be an over-intensive use of the site or that undue nuisance or disturbance to neighbouring properties would be likely to occur.

He also felt that 6 units could be satisfactorily located on the site, which was an appropriate location for multiple occupation.

The Inspector felt that the lack of parking had been addressed with the proposal for cycle storage facilities.

The appeal was allowed with certain conditions.

**(i) Formation of a hardstanding and vehicular access at the front of 79 Queensway, Galmington, Taunton (52/2004/005)**

The Inspector felt that the main issues were the effect of the proposal on the street scene and whether it would cause significant hazards to road safety.

The Inspector found a variety of frontage treatments in the vicinity and was of the opinion that the proposal would not have a significant effect on the street scene.

However, she did find that there was inadequate room for a vehicle to turn within the site and it would therefore be necessary to reverse onto or from the hardstanding. The new access would be likely to cause hazards to traffic and a permission in this case would make it difficult for the Council to resist future similar proposals.

In conclusion, she felt that the proposal would cause significant hazards to road safety.

The appeal was dismissed.

**(j) Appeal against enforcement notice - retention of boundary wall/fence at 2 Meare Green, Stoke St Gregory**

The Inspector felt that the two main issues were the effect the wall/fence had upon the local street scene and whether there would be adverse consequences for highway safety.

The Inspector acknowledged that various forms of boundary treatment already existed along Meare Green. However, rather than help provide justification for the development, they indicated a need for such items to be carefully controlled if the pleasant rural quality of the area was to be maintained and safeguarded. He considered that the wall/fence was close to the road and appeared as a very strident, unattractive and discordant feature.

Although the access to the appeal property was splayed, the Inspector saw no reason to question the Highway Authority's assessment that visibility was less than the standard for such a road. The Inspector found nothing to indicate that the boundary wall/fence had given rise to any serious problems in exiting the access, but found the impediment to visibility such that the wall/fence constituted a hazard to highway safety.



The appeal was dismissed and the enforcement notice upheld.

3 The following hearing has been arranged:-

<b><u>Appellant</u></b>	<b><u>Site</u></b>	<b><u>Venue</u></b>	<b><u>Date</u></b>
Mr J Isaacs	Two Acres, Ford Street, Wellington	OMB	22/2/05