The Planning Inspectorate

Appeal Decision

Site visit made on 31 July 2017

by Chris Couper BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 08 August 2017

Appeal Ref: APP/D3315/W/17/3174852
8, 9 and 10 Parsonage Cottages, Parsonage Lane, Kingston St Mary, Taunton TA2 8JF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Messrs. Roberts, Harris and Shortall against the decision of Taunton Deane Borough Council.
- The application Ref 20/16/0038, dated 9 December 2016, was refused by notice dated 17 March 2017.
- The development proposed is the formation of a parking area in the front gardens of 8, 9 and 10 Parsonage Cottages.

Decision

1. The appeal is allowed and planning permission is granted for the formation of a parking area in the front gardens of 8, 9 and 10 Parsonage Cottages, Parsonage Lane, Kingston St Mary, Taunton TA2 8JF in accordance with the terms of the application, Ref 20/16/0038, dated 9 December 2016, subject to the following conditions:

    1) The development hereby permitted shall be carried out in accordance with the following approved plans: J175/01B, J175/02D and J175/03B.

    2) Within three months of the date of this decision, a scheme of hard landscaping showing the layout of areas with stones, paving, cobbles or other materials shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be completely implemented before the development hereby permitted is brought into use, and shall thereafter be retained.

    3) Within six months of the date of this decision, a landscaping scheme, which shall include details of the species, siting and numbers to be planted, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out within the first available planting season from the date of the approval of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority. For a period of five years after the completion of the landscaping scheme, the trees and shrubs shall be protected and maintained, and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of a similar size and species.

4) The area allocated for parking and turning on drawing no. J175/02D, shall be permanently maintained and kept clear of obstruction, and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.

5) The visibility splays shown on drawing nos. J175/02D and J175/01B shall be provided prior to the first use of the development hereby permitted. Those splays shall thereafter be retained and there shall be no obstruction to visibility greater than 900 millimetres above adjoining road level within them.

6) Details for the disposal of surface water so as to prevent its discharge onto the highway shall be submitted to and approved in writing by the Local Planning Authority. Such provision shall be installed before the first use of the development hereby permitted and shall thereafter be maintained.

Procedural Matters

2. As set out in part 3 of the application form, the proposal involves a parking area in the front gardens of 8, 9 and 10 Parsonage Cottages. Consequently, although part 4 of that form describes the site address as 10 Parsonage Cottages, I have used the more accurate address cited at part 3, which is also consistent with the Council's decision notice.

3. A start has been made on the development, although it is clearly incomplete. I have dealt with the appeal on its merits, and on that basis.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

5. The properties in this edge of village location are set well back from Parsonage Lane behind long front gardens. This part of the lane is narrow and generally enclosed by earth banks and hedgerows, which is typical of the Southeast Quantock Landscape Character Area. However, further east along the lane, I observed strips of more open land sometimes with rough grass verges between the carriageway and the field boundaries. To the west, on the opposite side of the lane and to the front of Parks Cottages is an off-road parking area, which is set back from the carriageway behind a hedgerow.

6. I understand that the occupants of Parsonage Cottages use the parking area to the front of Parks Cottages, although there is significant pressure on the limited number of spaces there. No doubt partly as a consequence of that, there has been some informal parking closer to the dwellings along the edge of the lane.

7. This scheme involves the excavation of soil from part of the front gardens of nos. 8, 9 and 10 to create four off-road parking spaces. Those works, which have been partially implemented, together with the creation of visibility spays either side would give this section of the lane a less enclosed feel. It would also extend the hard-surfaced area. However, in the context of the lane's varied carriageway width, together with sections of it which have a more open feeling, and the existing off-road parking at Parks Cottages, that impact would not jar with its general character.

8. The dwellings at nos. 8, 9 and 10 would still be set back from the lane behind front gardens, which could be enhanced with additional landscaping. Additionally, the scheme could help to address the visual harm caused by haphazard parking along this section of the lane.

9. Consequently the proposal, once fully implemented and landscaped, would accord with the requirements of Policies DM 1(d) and CP 8 of the Taunton Deane Core Strategy 2011 - 2028 (2012) that development should not unacceptably harm the area's character and appearance, and that the natural environment and landscape should be conserved.

10. The Borough Council and Somerset County Council proposed a number of conditions, which I have considered against the relevant tests in the National Planning Policy Framework, making amendments where necessary to improve precision, clarity and enforceability. In the interests of certainty, I have imposed a condition requiring that the development be carried out in accordance with the approved plans. In the interests of the area's character and appearance details of hard and soft landscaping measures are necessary.

11. In the interests of the safety and convenience of highway users, I have imposed conditions requiring that the parking and turning areas as shown on the approved plans be maintained and retained for those purposes, that the depicted visibility splays be provided, and that the site be appropriately drained. However, as a significant amount of the development has already taken place, the suggested condition requiring the pre-commencement approval of a Construction Transport Management Plan is neither necessary, nor reasonable.

12. In reaching my decision I have had regard to the site's planning history, and the photographs provided by the Council. I have also considered the Council's concerns that a precedent could be set. However, the dwellings at Parks Cottages already have an off-road parking area, which may experience reduced pressure as a result of this scheme. That area is also closer to the other dwellings at Parsonage Cottages. For the reasons above, I conclude that an undesirable precedent would not be set, and that the proposal would not harm the character and appearance of the area. Having regard to all other matters raised, the appeal is therefore allowed.

Chris Couper

INSPECTOR