



Appeal Decision

Site visit made on 06 February 2025

by N Robinson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 February 2025

Appeal Ref: APP/E3335/W/24/3354484

29 Northfields, Bishops Hull, Taunton, Somerset TA1 5DR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Alan Oaten against the decision of Somerset Council.
 - The application Ref is 05/24/0008.
 - The development proposed is erection of new two storey dwelling alongside 29 Northfields, Bishops Hull along with new parking area
-

Decision

1. The appeal is dismissed.

Preliminary Matters and Main Issue

2. On 12 December 2024, the National Planning Policy Framework (the Framework) was updated. An opportunity was provided to the main parties to make further written comment over these changes. This decision is based on the current Framework and has taken account of the representations made on this.
3. An amended plan was submitted during the course of the planning application which shows an amendment to the design and roof form of the proposed dwelling. It appears that the Council did not accept this plan or consult on it. This plan has been submitted with the appeal. However, only one proposed elevation has been provided. In the absence of details relating to the 3 other proposed elevations, which it appears would also be amended as a result of the changes proposed, I find that this plan is insufficiently detailed. Therefore, I have not accepted this plan as an amendment to the proposal.
4. The appeal site is within the catchment of the Somerset Levels and Moors, which are listed as a Ramsar Site under the Ramsar Convention. The Council's second reason for refusal related to the effect on the integrity of the Ramsar site, in particular the absence of sufficient information evidencing the level of phosphates generated by the development and whether the proposal included sufficient mitigation measures to demonstrate that phosphate neutrality could be achieved.
5. The appellant has submitted a Nutrient Neutrality Assessment and Mitigation Strategy, Shadow Habitats Regulations Assessment and P-Credit Allocation Notice which were not part of the original application. This does not represent an amendment to the scheme. The Council has had the opportunity to comment on these documents. On this basis, I do not consider that any party would be unfairly prejudiced, and I therefore have had consideration to these documents in determining this appeal.

6. The Council has now confirmed that they have no objection in relation to the effect on the integrity of the Ramsar site. In light of this, the main issue is the effect of the proposal on the character and appearance of the area.

Reasons

7. The site comprises a semi-detached dwelling and side garden and is located in a residential area which has a suburban character. Whilst there is a variety in dwelling forms at the northern end of Northfields, dwellings on this part of Northfields comprise semi-detached and terraced post-war 'Cornish units' with mansard roofs. Dwellings on this part of Northfields tend to have a general consistency in terms of their size, form and position within their respective plots with sizeable gaps between buildings. This pattern of development creates a spacious, pleasant sense of uniformity. The side garden to 29 Northfields is larger than others in the area but nonetheless contributes positively to the established character of the area.
8. The proposal is for the erection of a detached 2-storey dwelling. Though the dwelling would be set back within the plot in line with other dwellings in the row, it would be positioned tight to the northern site boundary with limited separation between the dwelling and the side elevation of 29 Northfields. The proposed detached form would contrast markedly with the form of dwellings in the immediate surrounding area and the hipped roof would appear jarring within a street scene predominantly comprising dwellings with mansard roofs. Together, the form, siting and articulation of the dwelling would result in a proposal which would unacceptably detract from the established character of the area.
9. My attention has been drawn to applications for the redevelopment of Woolaway homes, which it is stated are similar to Cornish units, and which it is stated face structural issues. There is limited information before me regarding these proposals, or the similarities between Woolaway homes and Cornish units. Nonetheless, there is no suggestion that the Cornish units which characterise this part of Northfields suffer from structural defects or that their form contributes negatively to the character and appearance of the area. I therefore afford the suggested issues faced by Woolaway homes limited weight in this decision.
10. I am aware that there is an existing planning permission for residential development on the site. I have limited information about whether there would be an intention to build that development if this appeal were dismissed. There is limited information before me regarding this proposal, however the Council set out that it would be attached to the host dwelling, forming a row of terraced dwellings. Thus, it would appear that if that scheme were implemented, it would be less harmful to the character and appearance of the area. I therefore afford this permission limited weight in this decision.
11. Whilst reasonably localised in its extent, the effect of the scheme would be to harm the established character and appearance of the area. Conflict therefore arises with those aims of Taunton Deane Borough Council adopted Core Strategy (2012)(CS) policies DM1 and D7 which seek to ensure that housing developments create a high standard of design quality which doesn't unacceptably harm the character and appearance of the street scene.

Other Matters

12. The site is within the catchment of the Somerset Levels and Moors Ramsar Site, in which proposals including a net gain in residential development have the potential to give rise to significant effects. However, as the main issue provides a clear reason for dismissing the appeal, it is not necessary in this instance to undertake an appropriate assessment to consider the effect on the Ramsar site. There is, therefore, no need for me to consider this matter any further as part of my decision.
13. I note that the appellant is unsatisfied with the Council's handling of the application, in particular their refusal to accept amended plans submitted during the course of the planning application. However, this is not a matter for consideration in this appeal which focusses on the planning merits of the proposal.
14. The proposal would make a contribution towards the area's housing supply on a site at low risk of flooding in an urban area where access to facilities is likely to be greatest. There would also be short-term economic benefits associated with construction and council tax revenues in the longer term. However, these benefits would be limited by the scale of the development.

Conclusion

15. The proposal conflicts with the development plan and there are no material considerations, either individually or in combination, that outweigh the identified harm and associated development plan conflict. Therefore, I conclude the appeal should be dismissed.

N Robinson

INSPECTOR