

**Wiltshire Council – Area West
Planning Committee**

Agenda item no.

**PLANNING APPEALS UPDATE REPORT
September 2010**

New appeals received

Ref. no.	Site	Town/ Parish	Description	Del or Com	Officer recom	Appeal type
W/10/02166/FUL	Land Rear Of 177 Devizes Road Hilperton	Hilperton	Erection of a single dwelling and associated works and formation of a new access to serve existing dwelling	DEL	REF	WR
W/10/00745/FUL	70 Victoria Road Warminster	Warminster	Demolition of existing dwelling at 70 Victoria Road and replacing with two semi-detached dwellings and double garage with associated works.	COM	PER	WR
08/00272/USE_L	Fairfield Piggeries Leigh Road Bradford On Avon	Bradford on Avon	Appeal against unauthorised use of site as waste transfer depot	ENFORCEMENT		INQ
W/10/00091/ENF_L	Barn At Manor Farm Westbury Road North Bradley	North Bradley	Land and new dwelling / Land and converted agricultural building	ENFORCEMENT		INQ

Appeal Decisions Received

Ref. No.	Site	Town/ Parish	Description	Del or com	Officer recom	Appe al type	Appeal Decisn
W/09/03375/FUL	Fern Patch 1 Coulston	Coulston	Conversion of existing domestic outbuilding to ancillary facilities	DEL	REF	WR	ALLOWED
W/09/01631/FUL	Land Adjoining Priory Cottages Stradbrook Bratton	Bratton	Erection of detached house with double garage	DEL	REF	WR	DISMISSED
W/09/02281/LBC	Old Baptist Chapel St Margarets Street Bradford On Avon	Bradford on Avon	Removal of 27 pews	DEL	REF	WR	DISMISSED
W/09/02552/CLE	Greenacres 3 Hoopers Pool Southwick	Southwick	Certificate of lawfulness for occupation of dwelling without compliance with agricultural occupancy condition	DEL	RECLE1	INQ	WITHDRAWN
W/09/03287/OUT	Land Adjoining 14 Woodrow Road Melksham	Melksham	Demolition of existing double garage and erection of two bedroom dwelling plus associated parking	COM	PER	WR	ALLOWED

* additional notes on decision below

- I = Inquiry H = Hearing
- Del = Delegated decision

WR = Written Representations
Comm = Committee decision

WR (HAS) = Written Representations (Householder)

- **Points of interest arising from decisions**

W/09/03375/FUL - Fern Patch 1 Coulston

The Inspector in allowing this appeal considered that the main issue was whether or not the proposal was tantamount to a separate unit of accommodation or whether its use was ancillary to the main dwelling house. He took the view that it was ancillary because of its close relationship with the main dwelling and that a condition limiting the use to ancillary would reasonably serve the objectives of planning. Furthermore, he supported an award of costs against the council.

W/09/01631/FUL - Land Adjoining Priory Cottages Stradbrook Bratton

The Inspector considered that the main issues were the effect of the proposal on the character and appearance of the conservation area and on the setting of nearby listed buildings. He did not object to the design of the house itself which was of a vernacular style but considered the breach of the boundary wall and intrusion into the steeply banked landscape together with the loss of trees would be unsympathetic and detract from the prevailing historic pattern of development on this side of Stradbrook. Furthermore, the intrusive feature of a substantial new retaining wall and erosion of the high bank and garden would not preserve the setting of the listed buildings.

W/09/02281/LBC - Old Baptist Chapel St Margarets Street Bradford On Avon

The Inspector in dismissing the appeal shared the council's view that the pews, even though not original but dating from the Victorian era, were of intrinsic merit and of interest in their own right as part of the building's history as well as being a feature of special architectural interest.

W/09/02552/CLE - Greenacres 3 Hoopers Pool Southwick

The appeal was withdrawn prior to the appeal decision being made.

W/09/03287/OUT - Land Adjoining 14 Woodrow Road Melksham

This appeal was dismissed because the Inspector considered that the proposed small detached dwelling would appear incongruous in the setting of an homogeneous group of semi-detached properties and that the loss of the garden would be harmful to the green and spacious quality of the locality.

Note If Members of the Council wish to read any of the Planning Inspectors decision letters, please contact the Planning Office for a copy.

Forthcoming hearing or Inquiries

NONE AT PRESENT