

**APPEAL PERFORMANCE 2011**

**1.00 Purpose of Report**

- 1.01 To review the outcomes of decisions made by the Planning Inspectorate on appeals in the area covered by the Eastern Area Planning Committee in 2011.

**2.00 Appeal Decisions**

- 2.01 The Eastern Area Planning Committee determined 27 planning applications in 2011. Seven of these were refused, of which 4 were refused against the recommendation of officers, whilst three were refused in accordance with the reasons for refusal recommended by officers.
- 2.02 Out of the 7 planning applications that were refused by the committee, 5 have been taken to appeal. Three of these were allowed and two dismissed (40% success rate for the Council). There was one cost application for unreasonable behaviour applied for, but this was dismissed by the Inspector. A list of the applications refused by the committee and the subsequent appeal decisions are set out in Table A.
- 2.03 During 2011, the Council received decisions on a further 25 appeals against decisions made under delegated powers in the area covered by the Eastern Area Planning Committee. Eight of these were against the refusal of permission for residential development. All of these were dismissed. A further four concerned listed building applications and one concerned a commercial development. These were also all dismissed. The remaining 12 decisions related to householder applications. Of these decisions, 7 were dismissed, 4 were allowed and one was partially allowed/partially refused.
- 2.04 There were no cost awards against the Council in any delegated decision. The list of appeal decisions made on delegated applications is set out in Table B.

**3.00 Financial Implications**

There were no cost awards against the Council for any decisions made in are covered by the Eastern Area Planning Committee. As a result, the only costs incurred were the officer time in preparing appeal statements.

**MIKE WILMOTT**

**AREA DEVELOPMENT MANAGER**

**Table A**  
**Applications Refused by Eastern Area Planning Committee 2011**

<b>Reference</b>	<b>Parish</b>	<b>Location</b>	<b>Description</b>	<b>Decision</b>
E/10/0714/FUL	Wilsford	Yew Tree Farm	Retention of container; fence and cladding to building	Dismissed
E/10/1632/FUL	Marlborough	Ivy House Hotel	Change of use to school boarding house	Allowed
E/11/0174/FUL	Urchfont	Fairview, Uphill	Double garage & log store	Allowed Costs application by appellants refused
E/11/0057/FUL	Devizes	The Wharf	39 retirement apartments	Dismissed
E/2011/1094/FUL	Marlborough	Gresingham, Elcot Lane	Car port	Allowed
E/11/0297/FUL	Urchfont	Carina, Uphill	Single dwelling	Not appealed
E/11/0029/FUL	Roundway	Former Katherine McNeil Clinic site	Extension of time for implementing planning permission for 36 houses and 26 flats	Not appealed

**Table B**  
**Appeal Decisions Received in 2011 on Applications Refused Under Delegated Powers**

<b>Reference</b>	<b>Parish</b>	<b>Location</b>	<b>Description</b>	<b>Decision</b>
E/10/0819/FUL	Ludgershall	23, Astor Crescent	Three dwellings	Dismissed
E/10/0090/FUL	Grafton	273, East Grafton	Single dwelling	Dismissed
E/10/0386/FUL	North Newnton	Woodbridge Inn	Static caravan for use as dwelling	Dismissed
E/11/0678/FUL	Ludgershall	23, Astor Crescent	Two dwellings	Dismissed
E/10/0977/FUL	Devizes	37, Roseland Avenue	Single dwelling	Dismissed
E/10/1081/FUL	Marlborough	2, Chapter Close	Two dwellings	Dismissed
E/10/1274/FUL	Devizes	Bowermead, Hillworth Road	One dwelling	Dismissed
E/10/1281/FUL	Broad Hinton	2, New Cottages, Uffcott	Change of use of land to residential	Dismissed
E/10/0942/FUL	Devizes	23, The Brittox	Rear extension	Dismissed
E/10/0943/LBC	Devizes	23, The Brittox	Rear extension and internal alterations	Dismissed
E/11/0474/LBC	Huish	Old Rectory	Extensions and alterations	Dismissed
E/11/0770/LBC	Haxton	Lower street House	Conservatory	Dismissed
E/10/1144/LBC	Ludgershall	Retention of porch; erection of double gates	The Old Rectory	Dismissed

E/10/1567/FUL	Great Bedwyn	8, Willis Close	Loft Extension	Dismissed
E/11/0473/FUL	Huish	The Old Rectory	Extension and alterations	Dismissed
E/11/0769/FUL	Haxton	Lower Street House	Conservatory	Dismissed
E/10/0981/FUL	Ogbourne St George	Mill House	Retention of fence	Dismissed
E/10/1140/FUL	Ludgershall	The Old Rectory	Retention of porch; erection of timber gates	Dismissed
E/10/1191/FUL	Urchfont	Baish Cottage	Parking bay	Dismissed
E/10/1454/FUL	Devizes	Victoria Road	Retention of pvc windows	Dismissed
E/11/0596/FUL	Haxton	331 Everleigh Road	Extension & double garage	Part allowed/Part dismissed
E/11/0304/FUL	Lower Chute	Fox cottage	Two storey extension	Allowed
E/11/0702/FUL	Market Lavington	11, Francis Road	Two storey extension	Allowed
E/11/0759/FUL	Devizes	42,Queens Road	Two storey extension	Allowed
E/11/0807/FUL	Easterton	Hillcroft Farm	Annexe	Allowed