

WILTSHIRE COUNCIL

SOUTHERN AREA PLANNING COMMITTEE

3rd June 2010

Appeal Performance April 1st 2009-31st March 2010

Purpose of Report

1. To appraise the Committee of the performance of the south hub of Wiltshire Council at appeal in the year 2009/2010 .

Summary

Between April 1st 2009 and March 31st 2010, the first full year of Wiltshire Council, decisions have been received on a call in Inquiry which covered two planning decisions, one certificate of lawfulness appeal, one enforcement appeal, one appeal against refusal to permit works to a tree subject to a Tree Preservation Order, 4 Listed Building Consent appeals and 51 planning appeals in the area covered by the Southern Planning Committee. The results are set out below:

Type of appeal	Number determined	Number dismissed	Number allowed	Percentage dismissed
Call In	2	1	1	50%
Advert	1	0	1	0%
Certificate of lawfulness	1	0	1	0%
Enforcement Appeals	1	1	0	100.00%
Sec. 78 Planning Appeals	50	31	19	62%
Listed Building Appeals	4	3	1	75%
Tree Preservation Order Appeals	1	0	1	0%

The national average for local planning authorities in England and Wales which in the last few years has consistently been between 65-66% of appeals dismissed. The DCLG target is >60% dismissed.

Of the 50 planning appeals, 33 related to decisions made under delegated powers and 17 to decisions made by the planning committee. Of the 14 appeals against decisions taken by the committee against officer recommendation 9 were allowed (1 of which was a listed building appeal) and 5 were dismissed.

Applications for costs against the Council were made on 9 appeals. 4 were dismissed and 5 were allowed. The amounts (rounded up) total £ 9430

Full details are shown at Appendix A .

Recommendation

That the report be noted.

Report Author:

Judy Howles , Area Development Manager (South

Date of report 3rd June 2010

Background Papers

The following unpublished documents have been relied on in the preparation of this report:

None

Appendices

Appendix A – Appeals 01/04/09 -31/03/10

APPENDIX A

APPEALS 01/04/09 to 31/03/10

Appeal Decisions

Application Number	Site	Appeal Type	Delegated/ Committee	Decision	Overturn	Costs
S/2008/1119	Rose Cottage, Donhead St Mary	H	Delegated	Allowed CLD	No	Partial £604
S/2008/1120	Rose Cottage, Donhead St. Mary	H	Delegated	Allowed	No	Partial included above
S/2008/0533	Rose Cottage, Donhead St Mary	H	Delegated	Dismissed	No	No
S/2007/1460	London Road Retail Park, Salisbury	LI	Committee	Dismissed	Yes	No
S/2007/2156	Network Rail Car Park, Fisherton Street, Salisbury	LI	Committee	Allowed	Yes	No
S/2007/2541	The Beehive, Old Sarum	H	Committee	Allowed	No	No
S/2008/1090	New House Farm, Kilmington	H	Delegated	Dismissed	No	No
S/2008/2514	Enforcement Appeal - New House Farm	H	Delegated		No	No
S/2008/0712	Mellow Thatch, Winterbourne Gunner	WR	Delegated	Dismissed	No	No
S/2008/1591 (L/B Appeal)	The Boardroom House, Mere	WR	Committee	Allowed	Yes	No

Application Number	Site	Appeal Type	Delegated/ Committee	Decision	Overturn	Costs
S/2008/2083	Advert Appeal - Royal Mail Sorting Office, Fisherton Street, Salisbury	WR	Delegated		No	No
S/2008/1590	The Boardroom, Mere	WR	Committee	Allowed	Yes	No
S/2008/1544	Brooklands, Winterbourne Gunner	H	Committee	Dismissed	Yes	Yes Partial £ 893
S/2008/1560	Waterlake View, Orcheston	H	Delegated	Allowed	No	No
S/2008/1920	2A Albany Road Salisbury	WR	Delegated	Dismissed	No	No
S/2008/1756	The Wheatsheaf, Woodford	WR	Delegated	Dismissed	No	No
S/2008/1685	1 Manor Cottage, Cholderton	H	Delegated	Dismissed	No	No
S/2008/2103	63 Bouverie Avenue	WR	Delegated	Dismissed	No	No
S/2008/1413	31 Bulford Road, Durrington	WR	Delegated	Dismissed	No	No
S/2008/1871	28 Ramleaze Drive, Salisbury	WR	Delegated	Dismissed	No	No
S/2008/1841	Junction Shaftesbury Road, Wilton	H	Committee	Allowed	Yes	Yes £4406
S/2008/1679	36 Sidney Street, Salisbury	WR	Committee	Dismissed	Yes	No
S/2008/1753	Fairfield House, Wilton	H	Committee	Allowed	Yes	No

Application Number	Site	Appeal Type	Delegated/ Committee	Decision	Overturn	Costs
S/2008/1503	North Down Farm, Donhead St Mary	H	Delegated	Allowed	No	No
S/2008/1477	Meadow View, Winterslow	WR	Delegated	Dismissed	No	No
S/2008/1345	1 The Arcade, Amesbury	H	Delegated	Dismissed	No	No
S/2009/0608	Woodspring, Livery Road, Winterslow	HH	Delegated	Allowed	No	Yes £277
S/2008/1155	34 Green Lane, Ford	WR	Delegated	Allowed	No	No
S/2008/1698	Rock Cottage, Chilmark	H	Committee	Allowed	Yes	Applied for – not granted
S/2008/0708	Trickys Paddock, Brickworth Road, Whiteparish	H	Committee	Allowed	Yes	Applied for – not granted
S/2009/0028	Drybrook Lodge Cholderton	WR	Delegated	Allowed	No	No
S/2009/0029	Withyslade Farm, Tisbury Row, Tisbury	H	Delegated	Dismissed	No	No
S/2009/0028	Drybrook Lodge Cholderton	WR	Delegated	Allowed	No	No
S/2009/0029	Withyslade Farm, Tisbury Row, Tisbury	H	Delegated	Dismissed	No	No

Application Number	Site	Appeal Type	Delegated/ Committee	Decision	Overturn	Costs
S/2007/2226	TESCO – London Road, Amesbury	LI	Call In	Approved	Yes – resolved to approve	No
S/2008/0572	ASDA – Solstice Park, Amesbury	LI	Call In	Refused	Yes resolved to approve	No
S/2008/1917	Ashfield, Tisbury Road, Fovant	WR	Delegated	Dismissed	No	No
S/2008/1976	Nettwood Farm, Nett Road, Shrewton	WR	Delegated	Dismissed	No	No
S/2008/1604	Land off Old Blandford Road, Harnham	LI	Delegated	Dismissed	No	No
S/2009/0628	West of Mesh House, Mesh Pond, Downton	LI	Enforcement	Withdrawn	No	No
S/2008/1981 (L/B Appeal) S/2008/2121	1a Winchester Street, Salisbury	WR	Delegated	Dismissed	No	No
S/2009/0199	New Bower, Dinton	WR	Delegated	Dismissed	No	No
S/2009/0162	Spring Cottage, Livery Road, West Winterslow	WR	Delegated	Dismissed	No	No
S/2009/0112	1A Gas Lane, Salisbury	WR	Committee	Allowed	Yes	No

Application Number	Site	Appeal Type	Delegated/ Committee	Decision	Overturn	Costs
S/2009/0475	207 East Gomeldon Road, Gomeldon	WR	Delegated	Dismissed	No	No
S/2009/0014	Land at Long Cross, Zeals	WR	Committee	Dismissed	Yes	No
S/2008/1611	Little Ridge, Southampton Road, Alderbury	WR	Committee	Allowed	Yes	Yes £3250
S/2009/0324 & s/2009/0325	The Holt, Teffont Evias	WR	DEL	Dismissed	No	No
S/2009/0338 & S/2009/0339	The Chapel, Church Hill, Donhead St Mary	WR	DEL	Allowed	No	No
S/2009/0684	136 Station House, London Road, Amesbury	WR	Delegated	Dismissed	No	Applied for – not granted
S/2009/1515	Little Ridge, Southampton Road, Alderbury	WR	Enforcement Appeal	Withdrawn	No	No
S/2009/1137	New Bower, Hindon Road, Dinton	HH	Delegated	Dismissed	No	No
S/2009/0943	Hillstreet Cottage, Hindon Lane, Tisbury	WR	Delegated	Allowed	No	No
S/2009/0601	Bark Barn Cottage 12 West Dean	WR	Delegated	Dismissed	No	Applied for – not granted

Application Number	Site	Appeal Type	Delegated/ Committee	Decision	Overturn	Costs
2009/0768 2009/0797	61 The Borough, Downton	WR	Delegated	Dismissed	No	No
S/2009/0746 (L/B Appeal)	Nadder House, Tisbury	H	Delegated	Dismissed	No	No
S/2009/0931	Advert Appeal - Royal Mail Sorting Office, Fisherton Street, Salisbury	WR	Delegated	Allowed	No	No
S/2009/1135	The Old Post Office, Lower Road, Charlton All Saints	WR	Delegated	Dismissed	No	No
S/2009/0958	123 Queen Alexander Road Salisbury	WR	Delegated	Allowed	No	No
S/2009/1196	8 James Street/ 36 Sidney Street, Salisbury	WR	Committee	Dismissed	Yes	No

Author: Jenny Moore Appeals Officer