

Wiltshire Council

Eastern Area Planning Committee

5 June 2014

Appeal Performance 2013

1. Purpose of Report

To review the outcomes of decisions made by the Planning Inspectorate on appeals in the area covered by the Eastern Area Planning Committee in 2013.

2. Appeal Decisions

The Eastern Area Planning Committee met ten times and considered 30 applications in 2013, which was an identical number of meetings and applications as the Committee considered in 2012. Eleven of these were refused, of which 4 were refused against the recommendation of officers, whilst seven were refused in accordance with the reason for refusal recommended by officers.

Out of these 11 refusals, six have currently been taken to appeal, including all four of the applications refused against recommendation. Three decisions on these four have so far been received, all of which have been allowed on appeal. A list of the applications refused by the committee and the subsequent appeal decisions are set out in Table A.

Table A

Applications Refused by Eastern Area Planning Committee 2013

Reference	Parish	Location	Description	Appeal Decision	Officer Rec
E/2012/0941/FUL	Pewsey	Easterton La	1 house	Not appealed	Refuse
E/2012/1362/FUL	Ludgershall	Aster Cres.	1 bungalow	Allowed	Approve
E/2013/0152/LBC	Ramsbury	The Manor	Dem.winter garden	Dismissed	Refuse
E/2013/0372/S73	Seend	Thornham Fm	Remove condition	Not appealed	Refuse
13/0054/FUL	Shalbourne	Homesteads	Extension	Not appealed	Refuse
13/0067/LBC	Shalbourne	Homesteads	Extension	Not appealed	Refuse
E/2011/1231/FUL	Ludgershall	4 Andover Rd	6 apartments	Allowed	Approve
E/2012/1459/FUL	Manningford	Dragon Lane	New access	Allowed	Approve
E/2013/0238/FUL	Chute	Chute Cadley	1 house	Awaited	Approve
13/00719/FUL	Devizes	St Marys	Extension	Awaited	Refuse
13/03941/FUL	B Hinton	Brow Cottage	Extension	Not appealed	

During 2013, the Council received decisions on a further 23 appeals against refusals made under delegated powers in the area covered by the Eastern Area Planning Committee. 19 of these (83%) were dismissed, with only 4 allowed. There were no cost awards against the Council in any committee or delegated decision. The list of appeal decisions made on delegated decisions is set out in Table B.

Table B**Appeal Decisions Received in 2013 on Applications Refused under Delegated Powers**

Reference	Parish	Location	Description	Appeal Decision
E/2012/0396/FUL	Pewsey	High Street	Office & flats	Dismissed
E/2012/0397/LBC	Pewsey	High Street	Office & flats	Dismissed
E/2012/0790/ADV	Devizes	New Park Street	Box sign	Dismissed
E/2012/0791/LBC	Devizes	New Park Street	Box sign	Dismissed
E/2012/1320/TPO	Marlborough	36, River Park	Fell tree	Dismissed
E/2012/1276/FUL	G Bedwyn	3, Church Street	Re-Roofing	Dismissed
E/2012/0855/FUL	Potterne	Coxhill Lane	New house	Dismissed
E/2011/1726/FUL	Worton	Back Lane	Agric Barn	Dismissed
E/2012/0849/FUL	Aldbourne	3, Kandahar	New house	Dismissed
E/2012/0983/FUL	Bromham	Hawkstreet	New dwelling	Dismissed
E/2012/1256/TPO	Marlborough	Wye house	Fell trees	Dismissed
E/2012/1368/FUL	Poulshot	Higher Green Farm	New dwelling	Dismissed
E/2012/0977/FUL	Chilton foliat	Soley Farm Stud	New dwelling	Dismissed
E/2012/1071/FUL	Upper Chute	Prospect Cottages	New dwelling	Dismissed
E/2012/1370/FUL	Devizes	48 Hartmoor road	New dwelling	Dismissed
E/2012/0150/FUL	Tidworth	14, Beech Hill	Car Port	Dismissed
E/2012/0736/FUL	M. Lavington	Drove Lane	New dwelling	Dismissed
13/00456/TPO	Pewsey	Swans Bottom	Reduce Tree	Dismissed
E/2012/0572/FUL	All Cannings	The Street	1 dwelling	Allowed
E/2012/0119/FUL	Manningford	3, Corner Cottages	Access	Allowed
E/2012/0802/FUL	Devizes	Potterne Rd	4 dwellings	Allowed
E/2012/0268/FUL	Devizes	Bureau West	25 dwellings	Allowed
K/52782/F	Great Cheverell	Witchcombe Farm	Enforcement	Dismissed

Since January 2014, there have been a further three refusals of planning applications by the Eastern Area Planning Committee, none of which have yet been taken to appeal.

It is also the case that the Government have now empowered Planning Inspectors to award costs in any appeal where the Inspector considers that a party has acted unreasonably, either in submitting the appeal or refusing the application. Previously, an Inspector could only award costs where a party specifically applied for them.

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