

**Wiltshire Council – Area West
Planning Committee**

**PLANNING APPEALS UPDATE REPORT
July 2010**

New appeals received

Ref. no.	Site	Town/ Parish	Description	Del or Com	Officer recom	Appeal type
W/10/01011/FUL	Land Fronting 2 Sandridge Road Melksham	Melksham	Erection of two dwelling houses	DEL	REF	WR
W/10/00933/FUL	Adjacent To 81 Whiterow Park Trowbridge	Trowbridge	Erection of detached dwelling	DEL	REF	WR
W/10/01434/FUL	Sainsbury Store Bath Road Melksham	Melksham	Extensions to existing foodstore, including a mezzanine floor, cafe, construction of a new pedestrian link to bank street, relocation of the petrol filling station and new kiosk, extensions and alterations to the car park and associated landscape, flooding and ecological works	COM	PER	INQ

Appeal Decisions Received

Ref. No.	Site	Town/ Parish	Description	Del or com	Officer recom	Appeal type	Appeal Decisn
W/09/01142/FUL	Kingsdown Farm Lords Hill Longbridge Deverill	Sutton Veny	Erect 2 livestock buildings, straw storage building, dung store, hardened tracks and passageways and re-profiling of land adjacent to facilitate new buildings	DEL	REF	INQ	DISMISSED
W/09/01979/FUL	Land Adjacent Caravan Lower Woodrow Melksham	Melksham Without	Permanent agricultural dwelling to replace existing mobile home	DEL	REF	HRG	DISMISSED

* additional notes on decision below

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

WR = Written Representations

Comm = Committee decision

❖ **Points of interest arising from decisions**

W/09/01142/FUL - Kingsdown Farm Lords Hill Longbridge Deverill

The Inspector identified the key issue as being the finely balanced judgement between the impact of the scheme on the character and appearance of the Area of Outstanding Natural Beauty and the agricultural justification for the proposals. On balance he determined to dismiss the appeal on the basis of the submitted plans due to the harm to the landscape. However, he did not accept that the appeal proposal was the only feasible solution and gave a clear steer that an alternative scheme that reduced the building heights and finished ground levels would be significantly less harmful to the landscape.

W/09/01979/FUL - Land Adjacent Caravan Lower Woodrow Melksham

The Inspector highlighted the need to ensure that new dwellings in the countryside are scrutinised thoroughly to detect any attempt at abuse of the concession that exists for agricultural workers dwellings. Whilst he took the view that the functional and financial tests had been met, the size of the proposed dwelling was contrary to the advice contained within PPS7 which states that the size of an agricultural dwelling should be of a size commensurate with the established functional need. In this instance a 'generous' 4 bedroom detached dwelling was proposed which was unusually large and as such would have implications for the appearance of the countryside and might result in its being unaffordable for future agricultural workers.

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

Ref. no.	Site	Town/ Parish	Description	Appeal type	Venue	Date
W/09/00690/FUL	Sainsbury Store Bath Road Melksham	Melksham	Erection of a single storey 1,937sq m gross extension to the east and western elevations of the store; car park improvements and an extension to the south west of the existing car park resulting in an additional 91 car parking spaces; relocation of the petrol filling station from the river Avon to the south eastern area of the site; revised service yard arrangements; provision of an online service facility; construction of a new pedestrian link with town centre; and landscape and ecological improvements to enhance the nature and amenity value of the site and the surrounding land to the south west	INQ	CC	01.09.10 02.09.10 03.09.10 06.09.10 This appeal has since been withdrawn on 2 August 2010
W/10/01434/FUL	Sainsbury Store Bath Road Melksham	Melksham	Extensions to existing foodstore, including a mezzanine floor, cafe, construction of a new pedestrian link to bank street, relocation of the petrol filling station and new kiosk, extensions and alterations to the car park and associated landscape, flooding and ecological works	INQ	CC	01.09.10 02.09.10 03.09.10 06.09.10
W/09/03538/FUL AND W/09/03539/LBC	7 New Road Bradford On Avon	Bradford on Avon	Provision of 2 car parking spaces at rear of property	HRG	CR1	21.09.10
W/09/02552/CLE	Greenacres 3 Hoopers Pool Southwick	Southwick	Certificate of lawfulness for occupation of dwelling without compliance with agricultural occupancy condition	INQ	CC	13.10.10