

**West Wiltshire District Council
 Planning Committee
 29th March 2007
 PLANNING APPEALS UPDATE REPORT
 22nd February 2007 – 14th March 2007**

Agenda Item no.7

New appeals received

Ref. no.	Site	Town/ Parish	Description	Del or Com	Officer recom	Appeal type
06/02489/FUL	1 Bellefield Crescent,	Trowbridge	Two storey side extension and vehicular access	DEL	REF	WR
06/03311/FUL	5 Whiterow Park,	Trowbridge	First floor extension to gain larger bedroom	DEL	REF	WR
06/02597/FUL	Longacre, 17 Staples Hill,	Freshford	Convert and extend existing building to form annex to the main house	DEL	REF	WR

Appeal Decisions Received

Ref. No.	Site	Town/ Parish	Description	Del or com	Officer recom	Appeal type	Appeal Decisn
06/01588/OUT	Land adj 15 St Andrews Road,	Melksham	Erection of two dwellings	DEL	REF	WR	Dismissed
06/00415/LBC	83 Bath Road,	Bradford	Replacement of damaged, metal framed, single glazed windows in north wall of flat with new, wooden framed, triple glazed windows	DEL	REF	WR	Dismissed
06/02397/FUL	Land adj to 27 Wynsome Street,	Southwick	Erection of 4 bed residential dwelling	COM	REF	WR	Allowed*
06/01083/LBC	42 Portway,	Warminster	Replacement (UPVC) windows on rear elevation	DEL	NON	WR	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**

06/02397/FUL, Land adj to 27 Wynsome Street, Southwick – the Inspector consider there were two issue, the effect on the character and appearance of the surrounding area and the living conditions of the neighbouring properties. On the first issue she noted that the previous permission had established the principle of a house set back from the neighbouring dwellings, the plot is large enough for the proposed dwelling not to appear cramped and the external facing materials could be controlled by condition. She concluded that it would not be at odds with the surrounding area. With regard to the effect on the living conditions, she noted that overlooking of the gardens that are close to the rear of the neighbouring dwellings could be mitigated by obscure glazing, control of additional first floor windows in the flank elevation could also be controlled by condition and the overlooking of no 27's garden could be overcome by a screen fence included in the landscape condition. She considered the siting and orientation of the dwelling would not unacceptably intrude into the outlook from the garden of no 27 nor would it be overbearing or oppressively enclose the outlook to no 25. The appeal was allowed with conditions.

06/01083/LBC, 42 Portway, Warminster – This is an appeal against the non-determination of a listed building application to replace the windows in the rear elevation of this grade II listed building. The windows had already been installed. The Inspector explained his statutory obligation to have special regard to the desirability of preserving the building or its setting as well as preserving or enhancing the character and appearance of the conservation area. He noted that consent had been granted some 18 years ago for the renewal of the front elevation sash windows in white uPVC double glazed units. However, this was before the current Government advice in PPG15, the windows at the rear have a distinctly unbalanced appearance, made worse by the pane sizes being of different proportions within individual windows. He concluded that 'the use of shiny white uPVC draws attention to their scale and unsympathetic materials and detailing, whilst small panes give the game away when glazing bars are fixed within double glazing units because they provide an altogether different pattern of reflections off the glass'. He expressed sympathy with the appellant's presumption that because the windows in the front elevation had been granted in the past they would be acceptable at the rear. However, the fact remains that the works have significantly harmed the character of the building and the setting of its neighbour to the detriment of the character and appearance of the conservation area.

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

Forthcoming hearing or Inquiries

Ref. no.	Site	Town/ Parish	Description	Appeal type	Venue	Date
05/00681/REM	147B Westbury Leigh	Westbury	Proposed development of 5 residential units with associated parking, landscaping and private drive	INQ	CC	3 rd and 4 th April 2007
05/00859/OUT	147B Westbury Leigh	Westbury	Renewal of outline planning permission for residential development (00/01349/OUT)	INQ	CC	3 rd and 4 th April 2007
06/02483/FUL	147B Westbury Leigh	Westbury	Residential development comprising of 3 dwellings	INQ	CC	3 rd and 4 th April 2007
06/02482/FUL	147B Westbury Leigh	Westbury	Residential development comprising of 4 dwellings	INQ	CC	3 rd and 4 th April 2007