

**West Wiltshire District Council  
 Planning Committee  
 23<sup>rd</sup> August 2007  
 PLANNING APPEALS UPDATE REPORT  
 18<sup>th</sup> July 2007 – 8<sup>th</sup> August 2007**

Agenda item no. 8

**New appeals received**

Ref. no.	Site	Town/ Parish	Description	Del or Com	Officer recom	Appeal type
None						

**Appeal Decisions Received**

Ref. No.	Site	Town/ Parish	Description	Del or Com	Officer recom	Appeal Type	Appeal Decisn
05/03022/LBC	Black Swan Public House, Adcroft Street	Trowbridge	Conversion of public house to 4 no apartments	COM	PER	Hearing	Withdrawn
05/01561/FUL	Black Swan Public House, Adcroft Street	Trowbridge	Erection of 4 (no) terraced houses and conversion of public house to apartments	COM	PER	Hearing	Withdrawn
06/02823/FUL	3 Littlejohn Avenue	Melksham	New residential dwelling comprising four, two bedroom flats	COM	PER	WR	Dismissed*

\* additional notes on decision below

- I = Inquiry            H = Hearing            WR = Written Representations
- Del = Delegated decision            Comm = Committee decision

**❖ Points of interest arising from decisions**

**06/02823/FUL 3 Littlejohn Avenue, Melksham-** This appeal proposed the erection of a block of 4 no. flats located in the rear garden of the existing dwelling. An existing extension and detached garage would be demolished as part of the development. The Inspector

concluded that the design would present a dull and uninteresting face to the public view from both the side and rear elevations. It would therefore detract from the character and appearance of the area. On the issue of the affect on the neighbours' living conditions, she concluded that the high level windows would protect the privacy of the occupants of adjacent property to the rear, but the proximity of the building to the rear boundary would appear unacceptably overbearing in the outlook from their property. She noted the distance and orientation with the other neighbours and concluded that there would not be any loss of privacy. However, the positioning and number of the parking spaces alongside that property would have an unacceptable impact on their amenity in terms of noise and disturbance. She did however observe that Littlejohn Avenue is not heavily parked and the road not particularly busy. She was of the opinion that 7 parking spaces would be sufficient to serve 4 flats without resulting in any significant parking congestion or unacceptable harm to road safety.

### **Amended Enforcement Appeal Decision**

**Sheeshnag, Shaw Hill, Shaw** – Members may recall the enforcement appeal decisions being reported at which the Inspector dismissed the appeals and upheld the Enforcement Notices with a variation. The variation referred to the timescales for compliance in ceasing the use and the removal of the track, which conflicted with each other. The Inspectorate has now issued revised decisions which require:-

1. Time for compliance for ceasing the use of the track;- 4 months after this notice takes effect
2. Time for compliance to remove the track and materials from the land; - 4 weeks after step 1

This effectively changes the timescale by which we would expect to the owners to comply with the enforcement notice.

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

### **Forthcoming hearing or Inquiries**

<b>Ref. no.</b>	<b>Site</b>	<b>Town/ Parish</b>	<b>Description</b>	<b>Appeal type</b>	<b>Venue</b>	<b>Date</b>
05/00855/LBC	The Coach House Lovel House 42 Lovel Road	Upton Lovell	Conversion of Coach House to provide annexe to Lovel House	HRG	Council Chamber	4 <sup>th</sup> September 2007
06/02374/LBC	The Coach House Lovel House	Upton Lovell	External and internal alterations	HRG	Council Chamber	4 <sup>th</sup> September 2007