

**West Wiltshire District Council  
 Planning Committee  
 13<sup>th</sup> September 2007  
 PLANNING APPEALS UPDATE REPORT  
 8<sup>th</sup> August 2007 – 31<sup>st</sup> August 2007**

**Agenda Item No. 8**

**New appeals received**

Ref. no.	Site	Town/ Parish	Description	Del or Com	Officer recom	Appeal type
07/00432/FUL	Penleigh Mill House Fairwood Road	Dilton Marsh	First floor residential extension over re-built extension (previously submitted)	DEL	REF	WR
07/00433/LBC	Penleigh Mill House Fairwood Road	Dilton Marsh	Two storey extension	DEL	REF	WR
07/01076/FUL	35 The Common	Broughton Gifford	Improvements to existing extension	DEL	REF	WR

**Appeal Decisions Received**

Ref. No.	Site	Town/ Parish	Description	Del or Com	Officer recom	Appeal Type	Appeal Decisn
06/02381/FUL	Woodlands 23 Iford Hill	Westwood	Replacement of garage/wooden shack with double garage	DEL	REF	WR	Dismissed*
06/03137/OUT	Land Adjacent 32a Westlands Lane	Beanacre	New dwelling	DEL	REF	WR	Dismissed
06/02120/FUL	Northleigh Nurseries Leigh Road West	Bradford on Avon	Construction of a dwelling	DEL	REF	WR	Dismissed
07/00032/FUL	Victoria's 31 Silver Street	Bradford on Avon	Change of use from Class A1 (Retail) to Class A2 (Financial and Professional Services)	COM	PER	WR	Dismissed*
06/03311/FUL	5 Whiterow Park	Trowbridge	First floor extension	DEL	REF	WR	Allowed*

\* additional notes on decision below

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

WR = Written Representations

Comm = Committee decision

## ❖ Points of interest arising from decisions

**07/00032/FUL - Victoria's, 31 Silver Street, Bradford on Avon** The Inspector noted that the policy SP4 of the District Plan seeks to protect the ground floor use of existing shops from changes to A2, although exceptions were permissible. He noted that the ground floor of this property was unoccupied with little space available for stock. However, he did not think this was an insurmountable obstacle and although listed building consent had been recently granted for interior works, a small storage area could be created from the existing floor space. He recognised that the use of the unit would contribute to the vitality of the town centre. He concluded that an extended period of vacancy was only to be expected even in the busiest of retail streets and the centre was clearly attractive to a number of specialised retailers. Even with close attention to detail, office window displays lack the interest and attention of shop windows and the interest and vitality derived from shop use is usually much greater than that which results from an office use. He therefore determined that on balance the policy should prevail and dismissed the appeal.

**06/02381/FUL - Woodlands 23 Iford Hill Westwood.** This appeal was for a replacement domestic garage in the Green Belt and the Area of Outstanding Natural Beauty. The Inspector agreed with the Council that the garage could be regarded as an extension for the purposes of the Green belt policy. Although the proposal was a replacement building he noted that the property had already experienced an increase in volume of some 45% which would be significantly reduced if account was taken of other outbuildings on the site and of past demolitions. However, he considered such calculations should not be anything more than indicative and was satisfied that the construction of the garage in reconstituted blocks under a tiled pitched roof would represent a disproportionate increase in size over the timber framed single garage it is to replace as well as the original dwelling. It would therefore have an adverse impact on the openness of the green belt. He also felt that the impact would be highlighted by the physical isolation of the garage and it would be akin to establishing a totally new building footprint.

With regard to the impact on the AONB, he shared the view of the Council in that the garage would be visually intrusive and detrimental to the landscape character of the AONB. He recognised the improvement in materials and the fact that the building would be well screened from public view, but concluded that he did 'not accept that permission should be granted simply because it was not visible from a public vantage point. This is an argument which could be used in many places within the Green Belt and the AONB and, if accepted would have serious consequences'.

**06/03311/FUL - 5 Whiterow Park, Trowbridge** This appeal was for a first floor extension some 3.5 metres deep to the rear of a mid terraced house. The Inspector concluded that the extension would not be deep enough nor close enough to the side boundaries to appear unacceptably overbearing from the adjacent gardens taking into account the generous length and openness of the rear gardens.

The low hipped roof would not be high enough to cause any unacceptable loss of daylight to neighbouring houses. Furthermore , as the rear of the houses face north, there would no unacceptable loss of sunlight. He concluded therefore that it would not detract from the amenities enjoyed by the neighbours

**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
06/01652/FUL	Land Opposite The Laurels Hawkeridge Road	North Bradley	Site for travelling showmans equipment and residential caravans	HRG	Council Chamber	27 <sup>th</sup> September 2007