

**West Wiltshire District Council
Planning Committee
25 October 2007**

Agenda item no. 10

**PLANNING APPEALS UPDATE REPORT
1 September 2007 to 10 October 2007**

New appeals received

Ref. no.	Site	Town/ Parish	Description	Del or Com	Officer recom	Appeal type
06/01257/OUT	Land off Bradford Road	Trowbridge	Construction of business park (B1 and B8 uses)	COM	PER	WR
07/00035/FUL	Priory Lodge Market Street	Bradford on Avon	Refurbishment of existing bays, extension to the southwest corner and roof lights to the north east roof pitches	COM	PER	WR
07/00600/FUL	4 Old Broughton Road	Melksham	Proposed first floor rear dormer window and office	COM	REF	WR
07/01031/FUL	7 Imber Road	Bratton	Replacement garage with hobby room over	DEL	REF	WR
07/01303/FUL	Land at Westbourne Gardens	Trowbridge	Provision of revised garage and parking arrangement without complying with condition 10 of application 04/00734/FUL including the creation of a new flat over the garage	DEL	REF	WR
07/00629/FUL	Land Adj 16 Bread Street	Warminster	Erection of detached dwelling	DEL	REF	WR
0700349/FUL	The Barn Adj Hawkeridge Farm Mill Lane	Heywood	Boundary fencing and small decked area	DEL	REF	WR
07/01893/FUL	Land Adj 162 Woodrow	Melksham	New dwelling	DEL	REF	WR

Ref. no.	Site	Town/ Parish	Description	Del or Com	Officer recom	Appeal type
07/01277/FUL	Shearhaven 128A Clay Street Crockerton	Longbridge Deverill	Proposed carport	DEL	REF	WR
07/00115/FUL	Area R1D Westbury Leigh	Westbury	Erection of 25 dwellings with associated roads, parking and open space	COM	PER	HRG

Appeal Decisions Received

Ref. No.	Site	Town/ Parish	Description	Del or com	Officer recom	Appeal type	Appeal Decisn
07/00236/FUL	Land rear of 42 and 44 Station Road	Westbury	Erection of 4 two bed flats, new access and parking	NON	NON	WR	DISMISSED
06/03525/FUL	Land to rear of 64 Deverill Road	Warminster	Proposed dwelling	DEL	REF	WR	DISMISSED
06/03774/FUL	1 White Horse Way	Westbury	Demolition of 1 White Horse Way and the erection of 2 detached dwellings	DEL	REF	WR	DISMISSED *
06/03754/FUL	Land Rear Of 1 White Horse Way	Westbury	Erection of two semi-detached dwellings in part of the garden of 1 White Horse Way	DEL	REF	WR	DISMISSED *
06/02811/FUL	Land east of 24 Elm Close	Staverton	Construction of access and gateway to horticultural land	COM	PER	WR	DISMISSED *
06/02487/OUT	Land South East Of Keepers Cottage Spiers Piece	Steeple Ashton	Outline consent for residential development	DEL	REF	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

06/03774/FUL/06/03754/FUL 1 White Horse Way, Westbury – These are two separate appeals, one relating to the demolition of the existing dwelling and replacement by 2 detached dwellings and the other for the erection of 2 no semi detached dwellings in the garden. In respect of the first appeal, the Inspector did not share the Council’s view that the replacement dwellings would have a detrimental impact on the amenity of the neighbouring property because they would be at the side of the neighbouring dwelling and a gap would be retained at an acceptable scale. He did however, express concern at the “mundane design, large scale and prominent siting which would be harmful to the visual qualities of this area”. He noted that the buildings would appear as overdevelopment with cramped siting in a road which has an attractive and relatively spacious feel. He concluded that the buildings “would be intrusive in the street scene; they would be jarring on the eye, and look out of place bearing in mind the local context.

With regard to the 2 no. additional dwellings, he described the proposal as ‘uninspiring’ and concluded that the scale, orientation and proximity would be “dominant and seriously erode the outlook from the neighbours’ garden and rear elevation, would reduce daylight, increase noise and disturbance and adversely impact on the actual and ;perceived levels of privacy currently enjoyed”.

06/02811/FUL Land east of 24 Elm Close, Staverton – The Inspector disagreed with the Council on the point that the additional vehicles would disturb the peace of the cul de sac. In his view, provided the access was related to the horticultural activity, the use would be likely to be very intermittent and he did not share the fears of local people for highway safety. He did however share the concerns raised by the Parish Council related to landscape matters and possible reduction in parking raised by third parties. He felt that the access appeared to be excessively wide, it would have an adverse impact on the landscape and the lack of detail in the plans gave rise to potential ambiguity.

06/02487/OUT, Land South East Of Keepers Cottage Spiers Piece, Steeple Ashton. – This was an outline application for residential development on a vacant former employment site well outside any settlement. The Inspector noted that the great majority of related travel to and from these properties to would be by private car, but both national and local policies aim to secure new development close to or, at least, with alternative non-car based means of transport to employment and services. On the question of previously development land (brownfield sites), he noted that even if this were the case it must also be in a sustainable location. Furthermore, there was no intention to re use an existing building, the development would be new build. He acknowledged the condition of the site but expressed concern that this relatively remote rural area “is simply not the right location for a sizeable residential enclave with domestic buildings, residential; paraphernalia, garden enclosures, car parking areas or garaging, and general coming and going”. He concluded that the proposal would not represent sustainable development and would have an unacceptable adverse effect on the character and appearance of the locality.

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
05/00978/FUL	Old Workmens Hall Bath Road	Atworth	Conversion of derelict building to residential use	HRG	CR1	13.11.07
01/01971/OUT	Land Off Hackett Place	Hilperton	Residential development and associated roads	INQ	CC	4.12.07 + 5.12.07
06/00789/FUL	Land Adjacent 5 Woodmand	Holt	New dwelling and demolition of existing garage and formation of parking spaces	HRG	CR1	11.12.07

Members are asked to note that the Hearings for both the Old Workmen's Hall, Bath Road, Atworth and Land Adjacent 5 Woodmand, Holt are both based solely on the issue of a commuted sum in lieu of affordable housing for 50% of single dwellings within the Villages Policy Limit . This part of the affordable housing policy has now been deleted following the Cabinet decision dated 5 September 2007. The Appellants have both been advised that the Council will no longer be seeking to defend this issue at the Hearings and we await further notification as to whether these hearings will now take place or not.