

**West Wiltshire District Council
Planning Committee
31 July 2008**

Agenda item no. 8

**PLANNING APPEALS UPDATE REPORT
20 June 2008 to 11 July 2008**

New appeals received

Ref. no.	Site	Town/ Parish	Description	Del or Com	Officer recom	Appeal type
08/00228/FUL	Land Adjoining Cherry Croft Upton Scudamore	Upton Scudamore	New dwelling	COM	PER	WR
07/03606/FUL	Land Adjacent To 14 Poston Way Winsley	Winsley	Erection of a detached dwelling	DEL	REF	WR
07/03607/FUL	Land Adjacent 2 Priory Close Bradford On Avon	Bradford on Avon	Erection of a two bedroomed dwelling with parking spaces	DEL	REF	WR
07/03421/FUL	Land Rear Of 60 Wingfield Road Trowbridge	Trowbridge	Erection of a single dwelling (Class C3) and retention of existing coach house as ancillary accommodation/garage	DEL	REF	WR
07/03224/FUL	School House 63 Westbury Road Edington	Edington	Provision of new access to highway with off street parking for 3 cars and turning space	COM	REF	WR
08/00672/OUT	Land Adjoining 64 Clay Close Dilton Marsh	Dilton Marsh	Two storey terraced house with integral garage	COM	PER	WR
08/00632/FUL	336 Frome Road Trowbridge	Trowbridge	Vehicular access	DEL	REF	WR
08/00222/FUL	145 Chantry Gardens Southwick	Southwick	Conversion and extension to existing dwelling to form 4 one bedroom flats	COM	LEGAL	WR
08/00323/FUL	Land Adjoining 77 Ingram Road Melksham	Melksham (Town)	To erect a pair of semi detached dwellings	DEL	REF	WR

Appeal Decisions Received

Ref. No.	Site	Town/ Parish	Description	Del or com	Officer recom	Appeal type	Appeal Decisn
07/03223/FUL	Land Rear Of 42 And 44 Station Road Westbury	Westbury	Erection of 4 flats, new access, parking and landscaping (revised scheme)	COM	PER	WRQ	DISMISSED
05/00967/OUT	Land H8 North Of Paxcroft Way Trowbridge	Trowbridge	Residential development, extension to country park, children's play area, roads and associated infrastructure works	COM	LEGAL	INQ	ALLOWED
07/00439/FUL	C N Vines Sandridge Road Garage Snarltan Lane Melksham	Melksham	Demolition of existing building for proposed residential development of 16 dwellings (14 apartments and 2 flats) together with associated roads and services	COM	LEGAL	HRG	WITHDRAWN
07/02231/FUL	Station Car Park Station Approach Bradford On Avon	Bradford on Avon	Replacement of existing street lighting column with new pole supporting a street light, 3 shrouded antennas, an equipment cabinet and ancillary development	COM	PER	WR	ALLOWED
07/00872/OUT	Plot 4 Longlands Close Edington	Edington	Bungalow	DEL	REF	WR	ALLOWED
07/00491/FUL	14 Bearfield Buildings Bradford On Avon	Bradford on Avon	Raise roof and create bedrooms on new second floor	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

07/03223/FUL - Erection of 4 flats, new access, parking and landscaping (revised scheme) - Land Rear Of 42 And 44, Station Road, Westbury.

The inspector considered that the key considerations in this appeal were whether the site was appropriate for car free living, the effect on the amenities of adjoining properties and the effect on the character and appearance of the surrounding area. He concluded that the

specific location of this site made it unsuitable for car free living but that the proposal would not be harmful to the amenities of adjoining properties or the character and appearance of the surrounding area

05/00967/OUT - Residential development, extension to country park, children's play area, roads and associated infrastructure works - Land H8, North Of Paxcroft Way, Trowbridge.

The Inspector considered that the key issues were highway safety and the impact of any increase in traffic and noise nuisance on the living conditions of local residents. He took the view that the principle of the development had been established through the Local Plan process when it was allocated as a housing site with the access gained through the existing development. He made it clear that there was always an intention that the vehicular access to the appeal site would be gained in the manner proposed. Furthermore, his view was that it would not lead to an increase in noise and disturbance that would harm the living conditions of existing residents. He also considered that a lower density of housing would not comply with the guidance contained in PPS3.

In making his decision the Inspector made a full award of costs against the Council because he considered that the council had behaved unreasonably in refusing planning permission for the reasons stated.

07/02231/FUL - Replacement of existing street lighting column with new pole supporting a street light, 3 shrouded antennas, an equipment cabinet and ancillary development - Station Car Park Station Approach, Bradford On Avon.

The inspector commented that the key issue in this appeal was whether the proposal would be harmful to the character and appearance of the Bradford on Avon Conservation Area. She considered that given the commercial character of the site she did not consider that the pole would appear incongruous or obtrusive when seen from the car park. Parked cars would screen the equipment cabinet. Nor would the pole be seen from the riverside walk given intervening trees, variations in ground levels and other built features. It would be seen in some longer views but its impact would be negligible given its design, commercial setting, a backdrop of trees, lighting columns, telegraph poles and other vertical features. Screening by trees would be less in winter time but only marginally so and not to the extent that it would be harmful to the conservation area.

07/00872/OUT - Bungalow - Plot 4, Longlands Close, Edington.

The Inspector considered that the key considerations in this case were whether the proposals accorded with national and local policies and the effect of the development on the rural character and appearance of the appeal site and its surroundings. He concluded that the proposal accorded with local and national policies, in particular he concluded that the appeal site was a short distance on foot from the centre of Edington with its facilities and public transport links and therefore in a sustainable location. He considered the plot well integrated with other dwellings at Longlands Close and would cause no harm subject to the conditions he imposed.

07/00491/FUL - Raise roof and create bedrooms on new second floor - 14 Bearfield Buildings, Bradford On Avon.

The Inspector considered that the key issue in this case was whether the proposed development would have a detrimental effect on the character and amenities of the Bradford on Avon Conservation Area. She considered that the raising of the roof would entail a marked increase in the height of the dwelling which would be insensitive and incongruous, altering the form of the dwelling and blurring the architectural and historic differences with the neighbouring dwelling. She concluded that the proposal would detract from the architectural interest and character of the street and would harm the overall character and appearance of the Conservation Area of which Bearfield Buildings forms a part.

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
07/02806/FUL	George Ward School, Shurnhold, Melksham	Melksham	Up to 270 dwellings including playfields, car park and changing facilities	INQ	CC	29.07.08
E07/00327/USE	Land at junction of A361 and A350, Semington	Semington	Appeal against enforcement notice re unauthorised gypsy encampment	HRG	CC	23.09.08
07/02421/EUD	Land at Black Dog Hill Chapmanslade	Chapmanslade	Certificate of lawfulness for existing use of land for the storage of building materials, tools and equipment	INQ	CC	11.11.08