

**West Wiltshire District Council  
Planning Committee  
11 September 2008**

**PLANNING APPEALS UPDATE REPORT  
1 August 2008 to 22 August 2008**

**New appeals received**

Ref. no.	Site	Town/ Parish	Description	Del or Com	Officer recom	Appeal type
08/00927/OUT	Land Adjacent 179 Masefield Road Warminster	Warminster	Proposed two bedroom bungalow	DEL	REF	WR
08/01514/FUL	1 Bradford Road Trowbridge	Trowbridge	Conversion of dwelling into 7 residential units	DEL	REF	WR
07/03937/FUL	The Garden House Leigh Road West Bradford On Avon	Bradford on Avon	Refurbishment of existing walled garden including the construction of garaging, stabling and ancillary living accommodation for the existing dwelling	DEL	REF	WR
08/00418/FUL	Garages Rear Of 40 To 43 Lambrok Close Trowbridge	Trowbridge	Redevelopment of existing garage courtyard to provide two new dwellings	COM	PER	WR
06/00328/BLD_L	Land At Capps Lane Bratton	Bratton	Siting of a mobile home onto land	ENFORCEMENT APPEAL		INQ

**Appeal Decisions Received**

Ref. No.	Site	Town/ Parish	Description	Del or com	Officer recom	Appeal type	Appeal Decisn
07/02472/FUL	Downsview Sandpits Lane Steeple Ashton	Steeple Ashton	Two, single storey extensions providing a conservatory, and utility/family room	COM	PER	WR	ALLOWED
07/03732/FUL	9 Lansdown Close Trowbridge	Trowbridge	Extension to dwelling to create two bedroom dwelling and associated works	COM	PER	WR	ALLOWED

08/00153/FUL	Turleigh Danes Cottles Lane Turleigh	Winsley	Relocation of tennis court	DEL	REF	WR	DISMISSED
07/03825/FUL	6 Summerdown Walk Trowbridge	Trowbridge	Conversion of existing house into two one bedroom flats and new build creating a further two one bedroom flats	COM	PER	WR	ALLOWED
07/03840/FUL	Land Rear Of 15 Market Street Bradford On Avon	Bradford on Avon	Erection of studio house	COM	PER	WR	ALLOWED
07/03841/LBC	Land Rear Of 15 Market Street Bradford On Avon	Bradford on Avon	Erection of studio house	COM	PER	WR	ALLOWED
07/03597/FUL	Livery Yard New Road Melksham	Melksham	Replacement dwelling together with the rebuilding of stable buildings and a barn	DEL	REF	WR	DISMISSED
07/03418/LBC	12B Alfred Street Westbury	Westbury	Re-tile existing roof	DEL	REF	WR	DISMISSED
07/00327/USE_H	Land Adjacent West Wiltshire Crematorium Littleton Semington	Semington	Unauthorised use of land	ENFORCEMENT APPEAL		WR	WITHDRAWN

\* additional notes on decision below

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

### ❖ Points of interest arising from decisions

07/02472/FUL - Two, single storey extensions providing a conservatory, and utility/family room - Downsview, Sandpits Lane, Steeple Ashton.

The council made a split decision on this application permitting the conservatory but refusing planning permission for the utility / family room. The appeal considered the whole proposal and the inspector found no reason to differ with the council in respect of the conservatory. With regard to the utility / family room he considered the key issue to be the impact on the amenities of the occupiers of the adjoining dwelling, particularly in terms of being overbearing and loss of sunlight. She considered the proposed utility / family room modest in size and height, well separated from the adjoining dwelling and therefore not causing loss of sunlight to the neighbouring garden or rooms in the neighbouring dwelling and not overbearing or

overdominant. The proposal would not adversely affect the amenities of the neighbour, would accord with relevant development plan policies and would not conflict with supplementary planning guidance or the Steeple Ashton Village Design Statement.

07/03732/FUL - Extension to dwelling to create two bedroom dwelling and associated works - 9 Lansdown Close, Trowbridge.

The Inspector considered the main issues to be the effect on the character and appearance of Lansdown Close and on highway safety. He considered that there would be no loss of a significant area of open space and that the original scheme with a frontage to the proposed dwelling flush to the front elevation of the existing house would be preferable to an amended scheme (altered to accord with the council's supplementary planning guidance) was preferable. In respect of parking the inspector concluded that one parking space each for the new dwelling and the proposed dwelling would be appropriate, would accord with parking guidelines and would retain a better balance with open space and landscaping.

08/00153/FUL - Relocation of tennis court - Turleigh Danes, Cottles Lane, Turleigh.

The Inspector agreed with the council that the construction of a tennis court and associated engineering works extending beyond the curtilage of this dwelling in the countryside, and which is not an essential facility for outdoor recreation, would be inappropriate development in the green belt and the Cotswold AONB. Even if contained within the curtilage the tennis court would still be inappropriate for the same reasons. The landscaping of an existing undersized but not prominent tennis court would not provide mitigation to overcome these objections.

07/03825/FUL - Conversion of existing house into two one bedroom flats and new build creating a further two one bedroom flats - 6 Summerdown Walk, Trowbridge.

The inspector considered that there were three main issues in this case – the character and appearance of adjoining properties, the living conditions of future residents and neighbours and highway safety and parking. He concluded that the proposals would be in keeping with the character of the locality and adjoining properties, there would be no detriment to the living conditions of future residents and neighbours and car parking was adequate and would not give rise to any highway safety issues.

07/03840/FUL and 07/03841/LBC - Erection of studio house - Land Rear Of 15 Market Street, Bradford On Avon.

The inspector considered that the main issues in this appeal were the impact of the development on the character and appearance of the conservation area and listed buildings fronting Market Street including curtilage listed walls and effect on the living conditions of neighbouring occupiers. He commented that the site is relatively well concealed and the proposed building would only be glimpsed from in part from neighbouring properties due to levels and existing planting. He considered the proposed building modest in scale, in keeping with the bakehouse and subservient to the frontage buildings. He concluded that the setting, character and appearance of the listed buildings and conservation area would be preserved by the proposals. In terms of impact on living conditions he did not consider that there would be any significant increase in noise and disturbance or that windows of the proposed building would neither overlook or be overlooked by neighbouring properties.

07/03597/FUL - Replacement dwelling together with the rebuilding of stable buildings and a barn - Livery Yard, New Road, Melksham.

The Inspector considered the main issue was whether the proposals would have an unacceptably adverse impact on the character and appearance of the rural surroundings. He concluded that although the proposed dwelling shared that same footprint as the existing dwelling and an approved replacement dwelling, its scale would be substantially greater in both height and volume. Coupled with the proposed office / staff building and notwithstanding improvements to other buildings on the site, the proposals would have an unacceptably adverse impact on the character and appearance of the rural surroundings.

07/03418/LBC - Re-tile existing roof - 12B Alfred Street, Westbury.

The Inspector comments that clay pantiles have a strong and distinctive visual appearance and contribute significantly to the character and appearance of the Westbury Conservation Area. The prominent pantile roof on this building defines its age and appearance and its replacement with plain tiles of a bland and smooth appearance would not preserve the special architectural and historic appearance of this listed building.

#### **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**

<b>Ref. no.</b>	<b>Site</b>	<b>Town/ Parish</b>	<b>Description</b>	<b>Appeal type</b>	<b>Venue</b>	<b>Date</b>
07/02566/FUL	Rear Of 2 Spa Road Melksham	Melksham	Conversion of former commercial premises to two dwellings with car parking space	HRG	CR1	09.09.08
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