

**West Wiltshire District Council  
Planning Committee  
23 October 2008**

**Agenda item no. 8**

**PLANNING APPEALS UPDATE REPORT  
22 August 2008 to 3 October 2008**

**New appeals received**

<b>Ref. no.</b>	<b>Site</b>	<b>Town/ Parish</b>	<b>Description</b>	<b>Del or Com</b>	<b>Officer recom</b>	<b>Appeal type</b>
08/00366/FUL	Land Fronting 4 Wren Close Warminster	Warminster	Two one bedroom flats with parking area	DEL	REF	WR
E08/00040/BLD_M	15 Whitepits Kingston Deverill	Kingston Deverill	Unauthorised Building	ENFORCEMENT APPEAL		WR
08/01551/ADV	Nortree Motors Ltd Beanacre Road Melksham	Melksham	Internally illuminated free standing double sided sign	DEL	REF	WR
08/01190/FUL	April Cottage 15 Grange Lane Warminster	Warminster	New vehicular access including change of use	DEL	REF	WR
08/01090/CON	Land At 41 To 43 Trowbridge Road Bradford On Avon	Bradford on Avon	Demolition of 370 metres square steel framed building and modern extension to rear of existing retail unit as part of mixed use redevelopment of site	DEL	REF	WR
08/01034/FUL	Land At 41 To 43 Trowbridge Road Bradford On Avon	Bradford on Avon	Mixed use redevelopment comprising 5 dwellings, two live/work units, office space and retention of existing retail unit	DEL	REF	WR

## **Appeal Decisions Received**

<b>Ref. No.</b>	<b>Site</b>	<b>Town/ Parish</b>	<b>Description</b>	<b>Del or com</b>	<b>Officer recom</b>	<b>Appeal type</b>	<b>Appeal Decisn</b>
07/03371/FUL	Land Adjacent The Drive House West Ashton Road Trowbridge	Trowbridge	New detached four bedroom dwelling	COM	REF	WR	Split
07/03941/FUL	Land Adjoining 65 Seymour Road Trowbridge	Trowbridge	Erection of a single storey dwelling attached to existing dwelling	DEL	REF	WR	Dismissed
07/03383/OUT	Land Rear Of 5 Sandfield Sutton Veny	Sutton Veny	One dwelling in garden of No 5 Sandfield - access off Sandfield	COM	REF	WR	Dismissed
07/02806/OUT	George Ward School Shurnhold Melksham	Melksham	Outline application for up to 270 dwellings including playfields, car park and changing facilities	COM	LEGAL	INQ	Allowed
08/00228/FUL	Land Adjoining Cherry Croft Upton Scudamore	Upton Scudamore	New dwelling	COM	PER	WR	Dismissed
07/02107/FUL	Clanger Farm Clanger Lane Heywood	Heywood	Temporary dwelling required for an agricultural worker	DEL	REF	WR	Allowed
07/03555/FUL	Land Rear Of 8 Quinton Place Codford	Codford	Extension to residential curtilage (retrospective)	DEL	REF	HRG	Dismissed
07/03556/FUL	8 Quinton Place Codford	Codford	Demolish conservatory and build new garden room	DEL	REF	HRG	Allowed
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	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

07/03371/FUL - New detached four bedroom dwelling - Land Adjacent The Drive House West Ashton Road Trowbridge.

This was a split decision by the Inspectorate with the detached garage dismissed but permission granted for the detached dwelling without the garage. The Inspector considered that there was an eclectic mix of existing development and that as such the additional dwelling would have little impact on the character of the area and would sit comfortably between the houses on either side even though the plot was narrow. However, he was of the opinion that the proposed garage would produce an awkward layout that would appear cramped and incongruous and draw attention to the fact that the new development was a later insertion.

07/03941/FUL - Erection of a single storey dwelling attached to existing dwelling - Land Adjoining 65 Seymour Road Trowbridge.

The Inspector was of the view that the main issue was the impact of the proposal on the character and appearance of the area. The dwelling would appear cramped and incongruous and would not accord with its more spacious surroundings.

07/03383/OUT - One dwelling in garden of No 5 Sandfield - access off Sandfield - Land Rear of 5 Sandfield Sutton Veny.

The Inspector agreed with the Council that the proposed dwelling would interrupt the development pattern in the area, reducing the spacious character and creating an incongruous, cramped and discordant effect. He took the view that the living conditions of the occupiers of a neighbouring dwelling would be unacceptably harmed because of the confining and oppressive impact of the new dwelling.

07/02806/OUT - Outline application for up to 270 dwellings including playfields, car park and changing facilities - George Ward School Shurnhold Melksham

The Inspector concluded that although the proposals were not fully in accordance with the Local Plan with regard to provision of equivalent recreational facilities of community benefit in the immediate vicinity this was outweighed by the wider benefit to the community as a whole through enhanced facilities and accessibility at the relocated school site. Since the site is within the town boundary where policy provides for new residential development he took the view that the loss of the open gap between Melksham and Shaw and impact on local amenity was not sufficient to outweigh the policy presumption in favour of development on previously developed land.

08/00228/FUL - New dwelling - Land Adjoining Cherry Croft Upton Scudamore.

The Inspector did not share the Council's view that there would be any harm to the skyline and he took the view that the proposal would appear out of place from longer range views towards the village. However, he shared the Council's view with regard to the adverse impact on the character and appearance of the immediate area because of its proximity to the road which would make it appear cramped and incongruous.

07/02107/FUL - Temporary dwelling required for an agricultural worker - Clanger Farm Clanger Lane Heywood.

The Inspector considered that there would be no harm to highway safety but that as the policy tests for a permanent agricultural dwelling has not as yet been met that it would be appropriate to impose a temporary 3 year time limit.

07/03555/FUL - Extension to residential curtilage (retrospective) - Land Rear of 8 Quinton Place Codford.

Although the change of use would affect a relatively small area of land within a large field the Inspector concluded that it would undoubtedly place pressure within the village and the wider AONB for home owners to extend their gardens and the cumulative impact would be significant and would undermine the established village policy limits and have a substantial impact on the AONB.

07/03556/FUL - Demolish conservatory and build new garden room - 8 Quinton Place Codford.

The Inspector concluded that the garden room would not only be an improvement on the existing conservatory but would sit more comfortably with the main house and actually soften its appearance when viewed across the fields. As such it would not harm the character or appearance of the AONB.

07/03607/FUL - Erection of a two bedroomed dwelling with parking spaces - Land Adjacent 2 Priory Close Bradford on Avon.

The Inspector shared the Council's view that the new dwelling would be out of character with the predominately symmetrical appearance of other groups of dwellings in the area and as such would be harmful to the overall character of the area and the streetscene. He did not consider that there would be any harm to highway safety, consistent with the observations made by the highway authority. Although he sympathised with concerns of local residents about nuisance from noise and fumes he did not believe he would be justified in withholding permission for that reason alone.

### **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>
07/02421/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

07/03374/FUL	Land East Of Park Farm The Lodge Hoggington Lane Southwick	Southwick	Change of use of land and buildings to an equestrian training centre and erection of buildings	HRG	CR1	25.11.08
08/00226/FUL	The Lodge Hoggington Lane Southwick	Southwick	Removal of agricultural condition relating to the occupation of the lodge without compliance to condition 01 of application 76/00210	HRG	CR1	25.11.08
06/00328/BLD_L	Land at Capps Lane Bratton	Bratton	Siting of mobile home onto land	INQ	CC	16.12.08
07/01689/FUL	Land At Court Street Trowbridge	Trowbridge	Demolition of existing buildings and erection of one 4/5 storey building and one 2 storey building to provide office and retail uses	INQ	CC	13.01.09 and 14.01.09
07/01694/CON	Land At Court Street Trowbridge	Trowbridge	Demolition of existing derelict buildings	INQ	CC	13.01.09 and 14.01.09