

**West Wiltshire District Council
Planning Committee
13 November 2008**

Agenda item No. 7

**PLANNING APPEALS UPDATE REPORT
3 October 2008 to 24 October 2008**

New appeals received

Ref. no.	Site	Town/ Parish	Description	Del or Com	Officer recom	Appeal type
08/01494/ADV	Land North East Of A303 Chilmark Junction Stockton	Stockton	Advertisement board sign	DEL	REF	HRG
08/01902/FUL	Land Adjacent 59 - 60 Summerdown Walk Trowbridge	Trowbridge	Proposed 3 bedroom dwelling	DEL	REF	WR
08/01368/FUL	Land Adjacent 40 Shepherds Mead Dilton Marsh	Dilton Marsh	Erection of detached dwelling and associated works	COM	LEGAL	WR
08/02102/LBC	Stone Mills Court Street Trowbridge	Trowbridge	Conversion of existing office to two flats on first and second floors	DEL	REF	WR
08/02094/FUL	Stone Mills Court Street Trowbridge	Trowbridge	Conversion of existing office to two flats on first and second floors	DEL	REF	WR
08/02137/EUD	Woolley Grange Farm 1 Woolley Green Bradford On Avon	Bradford on Avon	Certificate of lawful use for use of buildings and land for light industrial (B1) and storage use (B8)	DEL	REF	INQ

Appeal Decisions Received

Ref. No.	Site	Town/ Parish	Description	Del or com	Officer recom	Appeal type	Appeal Decisn
07/02566/FUL	Rear Of 2 Spa Road Melksham	Melksham (Town)	Conversion of former commercial premises to two dwellings with car parking space	DEL	REF	HRG	Dismissed
08/00323/FUL	Land Adjoining 77 Ingram Road Melksham	Melksham (Town)	To erect a pair of semi detached dwellings	DEL	REF	WR	Allowed
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	Dismissed
08/00174/FUL	46 Huntenhull Green Chapmanslade	Chapmansla de	Single storey ground floor extension which with paved terrace extends into field	DEL	REF	WR	Dismissed
08/00632/FUL	336 Frome Road Trowbridge	Trowbridge	Vehicular access	DEL	REF	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**

07/02566/FUL - Conversion of former commercial premises to two dwellings with car parking space - Rear Of 2 Spa Road Melksham

The Inspector concluded that the evidence submitted did not conclusively demonstrate that there was no demand for the commercial use of the site or that there was an adequate supply and mix of genuinely available employment land or premises elsewhere in the locality. Furthermore, the potential for overlooking and level of overshadowing would be detrimental to the living conditions of the occupants of the proposed dwellings.

08/00323/FUL - To erect a pair of semi detached dwellings - Land adjoining 77 Ingram Road Melksham

Despite the Council's opinion to the contrary the Inspector took the view that there would be no harm to the character and appearance of the street scene or to the living conditions, particularly loss of sunlight and daylight, of the adjacent occupiers. He did, however, agree that there would be issues of loss of privacy if windows were inserted in the side elevation at a future date and applied a condition removing permitted development rights with regard to windows, rooflights and dormers on the north-east and south-west elevations.

07/03421/FUL - Erection of a single dwelling (Class C3) and retention of existing coach house as ancillary accommodation/garage - Land Rear of 60 Wingfield Road Trowbridge

The Inspector considered that there would be no harm to the living conditions of the occupiers of the adjoining property in terms of overbearing impact and overshadowing of the rear garden, and that the proposal would be unlikely to create a hazard to highway safety. However, since the site had been identified as a potential habitat for Great Crested Newts, and there was a reasonable likelihood that they were present at the site, as well as bats in the coach house and breeding birds, this was a material consideration. The Inspector dismissed the appeal as the impact on ecological interests had not been properly assessed in the absence of any ecological survey, impact assessment and details of mitigation and as such there was potential for harm to protected species.

08/00174/FUL - Single storey ground floor extension which with paved terrace extends into field - 46 Huntenhull Green Chapmanslade

It was the opinion of the Inspector that the changes to the curtilage, even the small incursion into the field, would sever the direct relationship between the dwelling and the agricultural land that would significantly harm the landscape. She could see no reason why an existing retaining wall could not be rebuilt and whilst she understood the appellant's desire to improve the outlook she considered that this did not outweigh the harm to the character and appearance of the countryside in a Special Landscape Area.

08/00632/FUL - Vehicular access - 336 Frome Road Trowbridge

The Inspector took the view that the reversing of vehicles onto a busy 'A' road, over a footpath and across a narrow frontage would represent a serious hazard to highway safety.

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
07/02421/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