

**West Wiltshire District Council
Planning Committee 25th August 2005**

**PLANNING APPEALS UPDATE REPORT
22nd July – 10th August 2005**

New appeals received

Ref. no.	Site	Town/ Parish	Description	Del or Com	Officer recom.	Appeal type
04/01063/OUT	Land East of Southview Farm, Drynam Road	Trowbridge	Residential development, recycling mini bank, open space, childrens play area, landscaped flood protection area and associated infrastructure	Del	Legal	INQ * Called in by the Govt.
04/01447/EUD	Land at Black Dog Hill	Chapmanslade	Use of land for storage of building materials, tools and equipment	Del	Not lawful	INQ*
04/02399/FUL	506 Semington Road, Melksham	Melksham Without	Revised doors and windows to shed extension	Com	Permit	WR
05/01084/TPO	30 The Spinney, Trowbridge	Trowbridge	Felling of Oak trees	Del	Refuse	WR

Notes

04/01063/OUT Land at Southview, Trowbridge – This application was referred to the First Secretary of State under the Greenfield Directive in October 2004. The Government Office have now decided to call the application in for determination by the First Secretary of State and will be heard by a Public Inquiry, the date of which has yet to be set.

04/01447/EUD Black Dog Hill, Chapmanslade – This is an appeal against the Council's decision that the use of the land for storage materials etc is not lawful. The reason for this decision was that the applicant has not provided sufficient evidence or information to allow the Council to issue a Certificate of Lawfulness for the use of the land for the storage of building materials, tools and equipment

Appeal Decisions Received

Ref. No.	Site	Town/ Parish	Description	Del or Comm	Officer recom.	Appeal type	Appeal Decisn
04/00734/FUL	Land at Westbourne Gardens	Trowbridge	Erection of terrace of four new dwellings, garages and parking replacing existing lock up garages	Com	Permit	HRG	Allowed
04/00830/OUT	Land Opposite The Old Chapel, Westlands Lane	Melksham Without	Erection of new dwelling	Del	Refuse	HRG	Dismissed
04/02138/FUL	1 The Laurels, Beanacre	Melksham Without	Single storey pitched roof extension to rear of existing garage	Del	Refuse	WR	Dismissed
05/00175/FUL	187A Little Ashley, Winsley	Winsley	Revised scheme for addition of lean-to roof on existing flat roof	Com	Refuse	WR	Allowed

* additional notes on decision below

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

❖ Points of interest arising from decisions

04/00734/FUL Land at Westbourne Gardens – This was considered at a hearing. The Inspector allowed this appeal with 10 conditions one of which requires details of the parking area and its entrance to be approved. He was of the opinion that the proposal would enhance the character and appearance of the conservation area. He noted that at the various times he visited the area there were parking spaces available in the area and if, in the future, parking became a highway safety hazzard he could see no reason why residents only parking restrictions should not be introduced. He therefore felt that there was no impact on highway safety. He considered various aspects of the access and traffic generation and concluded traffic movements may be less than their full potential at present, there would be a reduction in the use of the lane and the visibility at the junction would be no worse than at present. He acknowledged that the turning area within the site would be suitable for ambulances but not for fire engines, although he felt this could be achieved by moving the cars within the site. He therefore imposed a condition for this detail to be submitted and approved. Costs were applied for but not awarded

04/00830/OUT. Land Opposite The Old Chapel, Westlands Lane – the Inspector dismissed this appeal but noted in doing so, that the village policy limits were drawn tight around the three sections of this settlement. The proposed dwelling was therefore outside the existing built up area to which the countryside policies apply, the proposal would extend the built form and erode the countryside. This would negate the policy for defining the village limits and conflict with the aim of focussing development in larger settlements. If allowed it would make it difficult to resist other development adjacent to built up areas.

04/02138/FUL 1 The Laurels, Beanacre - Whilst considering the planning merits of this case the Inspector referred to the Council's supplementary planning guidance [House Extensions and Alterations] on which he stated that it 'carries weight as up to date formally adopted advice'. This confirms the importance that Inspectors give to formally adopted supplementary planning guidance in planning decisions.

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 April – July 2005

Ref. no.	Site	Town/ Parish	Description	Appeal type	Venue	Date
04/00322/FUL	Land South of the Paddocks	BOA	Erection of dwelling (as previously permitted 98/1281)	HRG	CR1	16/8/05
04/00385/FUL	Land East Furnax Lane	Warminster	Section 73 application for warehouse, storage, access road etc, without complying with condition 3 of 01/02033/FUL	HRG	CR1	17/8/05 currently being re- scheduled
04/01324/OUT	East of the Old Vicarage, The Hollow	Dilton Marsh	4 detached houses within garden of grade II listed building	HRG	CR1	25/8/05