

**West Wiltshire District Council
Planning Committee 1st June 2006**

Agenda item no.

**PLANNING APPEALS UPDATE REPORT
19th April 2006 – 12th May 2006**

New appeals received

Ref. no.	Site	Town/ Parish	Description	Del or Com	Officer recom.	Appeal type
05/01398/FUL	Turleigh Danes, Cottles Lane	Turleigh	Extension of residential curtilage and relocation of tennis court	DEL	Refuse	WR
05/02677/LBC	43 Bath Road	Atworth	Conservatory	DEL	Refuse	WR
06/00031/FUL	24 The Rank	North Bradley	Porch extension	DEL	Refuse	WR
05/02904/OUT	104 The Butts	Westbury	Erection of a bungalow	COM	Permit	HRG

Appeal Decisions Received

Ref. No.	Site	Town/ Parish	Description	Del or com	Officer recom	Appeal type	Appeal Decision
05/01922/FUL	Land At Junction With Frome Road and Poplar Tree Lane	Southwick	Construction of steel portal frame, general purpose agricultural building	DEL	REF	WR	Dismissed
05/01279/FUL	Land Adjoining Hayleyan Farm East Lane	Holt	Change of use of two agricultural building to B1/B8 use and the provision of car parking spaces	DEL	REF	WR	Dismissed
04/02221/FUL	Land Adjacent Hackett Place	Hilperton	Erection of public house with ancillary staff flats, car parking, landscaping and access arrangements	COM	NON-DTR	INQ	Allowed*

Ref. No.	Site	Town/ Parish	Description	Del or com	Officer recom	Appeal type	Appeal Decision
05/00194/FUL	Land Adjacent Hackett Place	Hilperton	Erection of public house with ancillary staff flats, carparking, landscaping and access arrangements	COM	PER	INQ	Allowed*
05/01709/FUL	Land Adjacent Hackett Place	Hilperton	Erection of public house with ancillary staff flats, car parking, landscaping and access arrangements	COM	PER	INQ	Allowed*
05/02334/ADV	Oval Motors Warminster Road	Westbury	Motor retailer signage name and display - revised proposals	COM	PER	WR	Dismissed
05/01200/REM	Land Adjacent 162 Woodrow	Melksham	Erection of one house (approval of all reserved matters)	DEL	REF	WR	Dismissed
05/00289/FUL	Land Rear Of 16 High Street	Codford	Erection of three dwellings	COM	REF	WR	Dismissed*
05/01201/FUL	Land Adjoining 12 Bread Street	Warminster	Demolish existing garage, make alterations to access and construct a new 3 bedroom cottage, form parking area for both dwellings	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

04/02221/FUL ,05/00194/FUL, 05/01709/FUL Land Adjacent Hackett Place, Paxcroft Mead – The Inspector felt that there were two main issues; Effect on highway safety and the implications on the range of facilities in the local centre. In respect of highway safety he concluded that national policy since 2000 has increased the emphasis on reducing parking provision and the site benefits from good

accessibility to the surrounding area. With a green travel plan for staff, no more than 24 parking spaces would be needed, the parking survey showed 29 spaces were available at peak time although she did accept that there may be times when it would be fully utilised. She was therefore satisfied that there is sufficient capacity in the local centre. With regard to a suggested footpath she concluded that there was no clear evidence to suggest frequency or intensity of use requires a footpath alongside Leap Gate and there is a network of footpaths and cycle ways designed specifically to avoid footpaths on Leap Gate. She was not therefore persuaded that a footpath is necessary or desirable.

In commenting on the implications on the range of facilities in the local centres, she understood the concerns of the residents that a medical facility has not been provided. However, she was of the opinion that the existing S106 agreement does not affect the planning merits of the proposal and whether or not the developer had used all reasonable endeavours to procure a health centre is not a matter to determine as part of this appeal. She accepted that a pub would be an appropriate facility and would add to the range of facilities and the centre's vitality. A Health centre would be beneficial but no evidence was produced to demonstrate the need for a surgery, no proposal for has come forward in 10 years and PCT has confirmed they are not interested

05/00289/FUL Land Rear Of 16 High Street, Codford – The main issue in this appeal was flooding and the increased burden on emergency services. The Inspector noted that there was little doubt that the land floods from time to time but there was a dispute as to its frequency and extent. He was however satisfied that flooding had occurred at times to such an extent that it could not be ignored and concluded that the site and the access are likely to be subject to flooding in a 1 in 100 year event. He anticipated increases in rainfall as a result of climate change which means there is potential for flooding of the site to increase. He concluded that the access to the site would be restricted by flooding and future occupiers would be at risk in attempting to enter or leave their properties and the development would add potential burden on the emergency services at times of flooding

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
05/00042/FUL	Land at Trowbridge Lodge Park, West Ashton Rd	Trowbridge	Proposed variation of conditions to allow for the siting of 12 additional residential caravans (4 retrospective)	Hearing	CC	13 June
05/00068/FUL	21 George Street	Warminster	Redevelopment of site to form 38 sheltered apartments, house managers accommodation, communal facilities and associated car parking	Inquiry	CC	01 Aug
05/00324/REM	Land at New Terrace and Marina	Staverton	Reserved matters application (related to outline approval 01/01616/out) for detail of link road (new terrace link)	Inquiry	CC	08 Aug
04/02307/OUT	Land at New Terrace and Marina	Staverton	Residential development and associated works	Inquiry	CC	08 Aug