

**West Wiltshire District Council  
Planning Committee 3 August 2006**

**Agenda item no. 7**

**PLANNING APPEALS UPDATE REPORT  
28<sup>th</sup> June 2006 – 20<sup>th</sup> July 2006**

**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>
05/02001/FUL	120 First Lane	Whitley	Change loft window size and position to adhere to escape and access building regulations	COM	PER	WR
05/02002/LBC	120 First Lane	Whitley	Change loft window size and position to adhere with building regulations escape access	COM	PER	WR
06/00486/FUL	5 The Ball,	Bratton	First floor extension	DEL	REF	WR
05/02788/FUL	Rear of 2 Adcroft Street	Trowbridge	Repair and renovate coach house as a dwelling	DEL	REF	WR
05/02584/FUL	12 Philip Close	Melksham	Erection of dwelling 2/3 bedroom and amenity space to domestic	DEL	REF	WR

### Appeal Decisions Received

Ref. No.	Site	Town/ Parish	Description	Del or com	Officer recom	Appe al Type	Appeal Decision
05/00042/FUL	Land At Trowbridge Lodge Park	Trowbridge	opposed variation of conditions to allow for the siting of 12 additional residential caravans (4 retrospective)	COM	PER	HRG	SPLIT *
04/01630/FUL	Land Adjacent 2 Blind Lane	Southwick	Detached house and car port	DEL	REF	HRG	Dismissed
05/00324/RE M	Land Between New Terrace And Marina Drive	Staverton	Reserved matters application (related to outline approval 01/01616/out) for detail of link road (new terrace link)	COM	APRV	INQ	Withdrawn*
05/02135/FUL	9 Elmdale Road	Trowbridge	Alteration and extension of existing house and erection of two attached 4 bed houses with front curtilage parking	COM	PER	WR	Allowed *
05/01737/FUL	71 School Lane	Shaw	House extension and annex	DEL	REF	WR	Dismissed
05/01759/FUL	60 Bratton Road	Westbury	Off road parking in front garden area	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

**05/00324/REM, Land Between New Terrace And Marina Drive Staverton** –This is the application for the link road through the New Terrace site which has been withdrawn following the granting of permission for the road itself recently. The appeal against the refusal of the residential development for this site will be heard at the public inquiry scheduled for 8 and 9 August.

**05/00042/FUL, Land At Trowbridge Lodge Park, Trowbridge** – This appeal proposed the retention of 4 caravans to be retained on the site in excess of the 129 already permitted and for an additional 8 caravans. The Inspector noted on the site visit that the parties were unable to identify the 4 caravans to be retained nor was there any visual evidence to suggest that some caravans had been inserted at a later date than others. He therefore concluded that the 4 extra caravans would have no adverse impact on the trees or landscaping nor adversely affect the amenities of existing residents. He allowed this part of the appeal with a condition that no more than 133 caravans be placed on the site.

With regard to the 8 additional caravans he considered their siting was a material consideration because it could have an adverse effect on the trees or living conditions of existing caravans. This was not to be confused with the site licensing issues. He looked at the indicative sitings suggested by the appellant and concluded that the proposal to site 8 additional caravans would have a serious adverse effect on the trees and landscaping, including trees covered by Tree Preservation Orders. This would also have consequential impact on the residential amenity of the occupiers of the existing caravans. He concluded that this part of the appeal should be dismissed.

There was an application for costs submitted by the appellant but the Inspector concluded that the Council's case was based solely on the potential effects on the trees and landscaping and the consequent implications for the amenities of the residents of the Park. He acknowledged that those matters were supported by a clear explanation of the specific concerns in the context of the Park where there are limited opportunities to site more residential caravans without affecting the TPO trees. The evidence was also supported in the form of the professional opinion of an experienced planning consultant. He concluded that the Council did show they had reasonable grounds for the decision it took and did support those grounds with relevant evidence. He refused the application for costs.

**05/02135/FUL 9 Elmdale Road, Trowbridge** – This appeal proposed the extension of a house and the erection of two attached four bed houses. The existing house is the only detached property in a row of 15 of semi-detached houses and is set on a much wider plot. The Inspector noted that the existing house was in line with the existing properties one side and set back to those on the other side. The additional units would also be set back. It would not therefore be a prominent features. He also noted that there would be at least 1 metre gap to the boundaries on either side and a separation with the neighbouring houses of 5 metres. He therefore concluded that with the set backs there would not be any significant terracing effect. He therefore allowed the appeal subject to conditions requiring samples of materials, boundary treatments and landscaping to be approved.

#### **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
05/00068/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
04/02307/OUT	Land at New Terrace and Marina	Staverton	Residential development and associated works	Inquiry	CC	08 Aug
05/00501/FUL	62 Murhill	Limpley Stoke	Rear conservatory and alterations to basement and side entrance	Hearing	CC	16 Aug
04/02421/FUL	Springwood 33 Midford Lane	Limpley Stoke	Conservatory	Hearing	CR1	6 Sept
05/00590/FUL	11 Inmead	Edington	New dwelling - revised proposal for dwelling granted under 99/00799	Hearing	CC	7 Sept
05/00663/FUL	11 Inmead	Edington	Design amendments to previously approved domestic garage (99/00090)	Hearing	CC	7 Sept
05/01205/FUL	410A The Spa, Bowerhill	Melksham Without	Detached dwelling	Hearing	CR1	12 Sept