

**Wiltshire Council – Area West  
Planning Committee  
16 September 2009**

Agenda item no. 7

**PLANNING APPEALS UPDATE REPORT  
(7 August 2009 to 28 August 2009)**

**New appeals received**

Ref. no.	Site	Town/ Parish	Description	Del or Com	Officer recom	Appeal type
W/09/00267/FUL	Land Adjoining Mudmead Stables Mudmead Lane Steeple Ashton	Steeple Ashton	Change of use of land for the siting of an agricultural workers mobile home for three years	DEL	REF	WR
W/09/00407/FUL	Littleton Stables Littleton Semington	Semington	Retrospective erection of dwelling, detached day room and touring caravan for residential use	DEL	REF	HRG

**Appeal Decisions Received**

Ref. No.	Site	Town/ Parish	Description	Del or com	Officer recom	Appeal type	Appeal Decisn
08/02155/FUL	Land Rear Of Stables Black Horse Lane Westbury	Westbury	Construction of 10 dwellings and associated works	COM	LEGAL	WR	ALLOW
08/02902/FUL	Land South East Of Carsons Yard Warminster	Warminster	Construction of six one and two bedroom flats	DEL	REF	WR	ALLOW
08/02645/FUL	5 Downsview Edington	Edington	Extension to dwelling to form annexe	DEL	REF	WR	DISMISSED
08/01916/FUL	Broadway Parade Broxburn Road Warminster	Warminster	New residential development including additional floor	DEL	REF	WR	ALLOW
08/03454/LBC	The Dutch Barton Dental Surgery 16 Church Street Bradford On Avon	Bradford on Avon	Alterations to front door	DEL	REF	WR	ALLOW

\* additional notes on decision below

- I = Inquiry                      H = Hearing
- Del = Delegated decision

WR = Written Representations  
Comm = Committee decision

## ❖ Points of interest arising from decisions

### **08/02155/FUL - Land Rear Of Stables Black Horse Lane Westbury**

Despite claims to the contrary the Inspector was satisfied that this area of land was allocated for housing and there was nothing to suggest in the Local Plan that the appeal site was of importance in retaining the gap between Westbury Leigh and Dilton Marsh. It was his opinion that the scheme would be well integrated with the existing development and would form a logical part of the existing housing allocation. Since the design of the houses would be similar to existing, the character of the area would not be harmed. A contribution through a legal undertaking would be sufficient to enhance open space in the area.

A full award of costs was made against the Council on the grounds that it acted unreasonably. Clear advice was given by officers that the proposals accorded with the development plan and that the proposals were acceptable in all other respects. Yet this was ignored by the local authority in making its decision and it was unable to show reasonable grounds for going against this advice.

### **08/02902/FUL - Land South East Of Carsons Yard Warminster**

The Inspector in allowing the appeal drew attention to the need to make efficient use of land. In this context the relationship with surrounding dwellings, albeit with some inevitable overlooking of gardens, was not sufficient to detract from neighbouring amenity and since the area was already overshadowed the proposal would not reduce daylight to an unacceptable degree. Furthermore, there would in his view be no harm to the character of the area or nearby trees and there was a very low probability of serious land contamination.

### **08/02645/FUL - 5 Downsview Edington**

The Inspector in dismissing the appeal considered that the proposals would significantly detract from the simple proportions of the existing dwelling, resulting in a large and discordant expanse of blank wall. Furthermore, its prominence would have a damaging effect on the streetscene. As such it would consequently on the character of the conservation area and setting of a listed building. The benefit of any additional accommodation for the appellant's family would be outweighed by the harm to the character and appearance of the building and its context.

### **08/01916/FUL - Broadway Parade Broxburn Road Warminster**

The Inspector concluded that the design and layout would not detract from the existing built form and that there was sufficient parking. Even though there would be additional deliveries this would not have any significant impact on noise and disturbance in the area.

### **08/03454/LBC - The Dutch Barton Dental Surgery 16 Church Street Bradford On Avon**

Although he acknowledged that the door would open differently and modifications would need to be made, in the Inspector's judgement the work could be undertaken with little harm to the character and fabric of the building.

**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>
W/09/00583/FUL	Land Rear Of 16 High Street Codford	Codford	Extension to enlarge dwelling to create a new semi-detached dwelling, new garage block to replace existing and associated works (revised scheme of 07/03111/FUL)	HRG	CR1	23.09.2009
07/00297/BLD_L	6 Stoggy Lane Great Hinton	Great Hinton	Unauthorised erection of a barn and change of use of agricultural land to garden use	HRG	CC	29.09.2009
08/00231/USE_L	Littleton Stables Littleton Semington	Semington	Unauthorised use of tractor shed as dwelling and creation of domestic garden together with installation of one stable, three dog kennels, one storage container unit and one caravan	HRG	CR1	08.12.2009
08/00334/BLD_L	Land adj Crusader Park Furnax Lane Warminster	Warminster	Unauthorised land contouring works	INQ	CC	05.01.2010