

**Wiltshire Council – Area West
Planning Committee
7 October 2009**

Agenda item no. 7

**PLANNING APPEALS UPDATE REPORT
28 August 2009 to 18 September 2009**

New appeals received

Ref. no.	Site	Town/ Parish	Description	Del or Com	Officer recom	Appeal type
W/09/01314/FUL	51 And 52 Rutland Crescent Trowbridge	Trowbridge	Erection of three blocks to provide 12 flats with parking and amenity space	DEL	REF	WR
W/09/01340/FUL	Lovell Cottage 15 Manor Road Upton Lovell	Upton Lovell	Alterations to dwelling, access and boundary wall including single storey side extension	DEL	REF	WR
W/09/01630/FUL	66 Manor Gardens Warminster	Warminster	Single storey extension to front of property with two storey extension to side and increased hard standing area for vehicle parking including extended access to highway	DEL	REF	WR

Appeal Decisions Received

Ref. No.	Site	Town/ Parish	Description	Del or com	Officer recom	Appeal type	Appeal Decisn
06/00154/USE_L	Brickells Lodge Sandpits Lane West Ashton	West Ashton	Unauthorised use of stables as residential accommodation	ENFORCEMENT		INQ	SPLIT

* additional notes on decision below

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

WR = Written Representations
Comm = Committee decision

❖ **Points of interest arising from decisions**

06/00154/USE_L - Brickells Lodge Sandpits Lane West Ashton

This was an interesting decision resulting from a Public Inquiry on an appeal against an enforcement notice.

The Inspector directed that the wording of the enforcement notice should be changed and subject to these variations should be upheld.

The corrections related, firstly, to references in the enforcement notice to the construction of an access incorporating pillars, gates and a driveway. The Council accepted that these had been in place for more than 4 years. The appeal was therefore successful in this respect.

Secondly, that the requirements relating to the unauthorised change of use were excessive in the insistence that the building should be returned to a stable. Both sides agreed that this part of the enforcement notice should be reworded simply to ensure the cessation of the residential use and removal of all domestic detritus.

A separate application made for costs against the appellant by the Council was successful. The Inspector was of the view that the appellant had behaved unreasonably in failing to produce his documents at an earlier stage rather than on the morning of the Inquiry. However, the amount was limited to no more than £750.

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
07/00297/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
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	HRG	CC	10.11.2009
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