
Appeal Decisions

Site visit made on 13 December 2016

by H Porter BA(Hons) PGDip IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 10 January 2016

Appeal Ref: APP/Y3940/W/16/3158767

Kyntyre, Church View, Sutton Benger, Wiltshire SN14 4RR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Chappell against the decision of Wiltshire Council.
 - The application Ref 16/02442/FUL, dated 7 March 2016, was refused by notice dated 5 July 2016.
 - The development proposed is a covered yard for livestock.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. This appeal relates to a small-holding off Church View, located on the edge of the settlement of Sutton Benger. Kyntyre and the mobile home units along Church View mark the edge of built development, beyond which the character and appearance of the area is defined by open fields and countryside. The appeal site is currently populated by various animal shelters, stabling and bird houses associated with the small-holding. Under appeal decision APP/Y3940/A/11/2167985, the previous Inspector defined the appeal site as being clearly part of the open countryside. While the form and number of structures differ under this decision, the previous Inspector's findings on the open rural landscape character of the area stands as a material consideration in determination of this appeal.
 4. There is some vegetal screening to the site along the B4069, which partially screens the largest stable/alpaca housing structure, situated alongside the Church View boundary. More clear views to the existing structures can be gained further along this route, where there is no hedgerow. Owing to its size and location, this structure does not dominate the land or appear in views towards the open countryside that are gained from the junction of Sutton Lane and Church View.
 5. The appeal scheme proposes the erection of a covered yard, attached to the existing stable block/alpaca housing. While no higher than the existing block, the proposal would extend the main east and west elevations; the covered yard would also be deeper than the existing shelter, resulting in a total footprint of over double the size of that which currently exists.
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6. At the scale proposed, the appeal scheme would be clearly visible and the proposed structure would extend significantly beyond the existing shelter. As a result, the shelter would harmful intrude into the flat, open field and undermine the recessive appearance that the largest stable structure currently achieves. The proposed westwards extension, in combination with the increased depth, would also impact on the channelled view from Sutton Lane, impinging the view to the open countryside that is currently gained beyond Church View. The impact of the development would therefore also be visible from Sutton Lane and result in a visual encroachment into the countryside at the settlement edge. Overall, the proposed structure would be dominant and prominent, detrimental to the character and appearance of the area.
7. During my site visit I observed the ground across the site to be saturated, with water pooled in front of the concrete pad of the stable block. I have no cause to doubt that the existing situation on the land is an issue, and that the volume of rainfall and saturation of the land may have materially changed in recent years. That said, the application plans show no details of the proposed floor covering and there is also no substantive assessment of the causes of the ground saturation. In the absence of any detailed evidence on the cause of the ground issues, it is unclear whether the proposed shelter is the most appropriate solution. This casts significant doubt over whether the proposed shelter would resolve the problems the appellants have identified.
8. I have given consideration to the various letters of support from experts in alpaca husbandry. While it is noted that alpacas do not like close confinement, the application lacks any assessment of the minimum covered area required. There is no indication why the covered area needs to be over twice the size of the existing stable block, which, in my judgement, would result in harmful encroachment of the local landscape and detrimental to the character and appearance of the area.
9. In light of the above, I conclude the appeal proposal would cause unacceptable harm to the character and appearance of the area. The development would therefore be contrary to Core Policy 51 of the Wiltshire Core Strategy, January 2015, which seeks to conserve landscape character, as well as Core Policy 57, which requires development is of a high standard and relates positively to its landscape setting. The proposal would also fail to accord with the core principles and policies within the Framework, which require good design that takes account of the character of different areas.

Other matters

10. The lack of any objections from neighbours does not outweigh the harm I have identified in relation to the character and appearance of the area. I note the appellants' concern relating the manner in which the Council undertook the site visit during the assessment of the application; however, my role in this matter is confined to a consideration of the appeal proposal on its individual planning merits.

Conclusion

11. For the reasons given above, I conclude that the appeal should be dismissed.