
Appeal Decision

Site visit made on 7 February 2017

by R C Kirby BA(Hons) DipTP MRTPI

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

Decision date: 24 March 2017

Appeal Ref: APP/Y3940/W/16/3162192
13 Broad Town Road, Broad Town SN4 7RB

- 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 Dennis Cottee against the decision of Wiltshire Council.
 - The application Ref 16/06225/FUL, dated 26 June 2016, was refused by notice dated 5 October 2016.
 - The development proposed is described as regularising of erected barn unit. Owner has built barn of different design to that approved under 15/09474/FUL this is a resubmission of the statutory application.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appellant has requested that I consider a revised drawing indicating entrance doors on 3 elevations. The drawing considered by the Council showed doors on 2 elevations. Given that the revised drawing accurately reflects what has been constructed on the site, I am satisfied that this drawing does not change the proposal to a degree that to consider it would deprive those who should have been consulted of the change, the opportunity of such consultation. I have therefore considered the appeal proposal on the basis of this revised drawing, along with the other drawings that the Council considered when it determined the planning application.
3. I consider that the Council's description of development as contained within its decision notice and as set out in the appeal form, better describes the proposal than that set out above, which is taken from the application form. I have therefore considered the appeal on the basis that the proposal is for an 'amendment to planning permission 15/09474/FUL to allow for redesign of approved barn unit'.

Background and Main Issues

4. Planning permission¹ was granted in December 2015 for the demolition of the previous barn on the site and its replacement with two buildings to be used as stables and a tack room. The permission also included a change of use to equestrian. The building that is present on the site does not reflect those for which planning permission has been granted. It is this building that is the subject of this appeal.

¹ Ref 15/09474/FUL

5. The main issues in this case are:

- the effect of the design of the barn on the character and appearance of the area; and
- the effect of the proposal on highway safety, having particular regard to whether or not suitable parking, turning and loading of large vehicles can be provided on the site.

Reasons

Character and Appearance

6. The appeal site is located in the open countryside approximately 1.5km south of Royal Wootton Bassett. It is on the south west side of the road leading to Broad Town in an area characterised by sporadic dwellings interspersed with farm buildings and agricultural land. The residential properties are predominantly on the south west side of this road and are of varying styles and appearance. The site is surrounded on all sides by open agricultural land, with a sporadic and loose knit ribbon of development running along both sides of the road.
7. Wiltshire Core Strategy (WCS) Core Policy 51 requires new development to protect, conserve and where possible enhance landscape character. Where there are any negative impacts these must be mitigated as far as possible through sensitive design and landscape measures. Important views and visual amenity are recognised as important considerations when considering the impact of a proposal on landscape character. Core Policy 57 of the WCS relates to the design of new development and states that a number of matters will be considered to ensure that development makes a positive contribution to the character of Wiltshire. These are listed as i. to xiv. in the policy.
8. The appeal property has a frontage of approximately 60 metres to the public highway with the appellant's semi-detached cottage being at the south eastern end. There is a double garage to the north west of the cottage. The appeal building is to the north-west corner of the site adjoining the public highway. It is a steel portal framed building with dark green coloured profiled steel cladding and a corrugated roof. The Council has calculated that it measures 13.9 metres in width by 15 metres deep, 4.2 metres to the eaves and 6 metres to ridge. It is set back 8.5 metres from the public highway.
9. The Council consider that the building is excessively large for the purpose of housing the appellant's animals. I have not been directed to a policy to support this concern. The fact that the Council has found smaller buildings upon the site to be acceptable neither weighs in favour or against the proposal. This matter carries very limited weight in my consideration of the appeal scheme. Each planning application and appeal should be determined on its individual merits and this is the approach that I have taken.
10. Whilst the scale of the building would reduce openness upon the site, my attention has not been drawn to the appeal site being located within a Green Belt where the impact on openness is an important consideration. Any building upon the site would affect openness; the matter before me is whether harm would be caused to the character and appearance of the area as a result.

11. I observed on my site visit that there were various agricultural and equestrian buildings in the locality, including in close proximity to the appeal site. The appeal building has an agricultural appearance and would be viewed in the wider context of the area. It would not be out of keeping with the character of the area.
12. Whilst it is located closer to the road than nearby agricultural buildings, it would be set back behind the building line of the dwelling upon the site. This dwelling screens the visual impact of the building when travelling towards Royal Wootton Bassett along the road, and existing landscaping close to the site screens the visual impact when travelling in the other direction along the road. In light of this, I found that the building was not unduly prominent in the street scene. Whilst the building is visible in short term views along the frontage of the appeal site, the building does not appear at odds with the residential and agricultural character of the area.
13. The Council has made reference to criterion vi. of WCS Core Policy 51 and i. of Core Policy 57 in its decision notice. These criterion relate to, amongst other matters, important views. I have not been directed to where such viewpoints are in relation to the appeal site and I have therefore limited my consideration of the appeal scheme to what I observed on my site visit, which was from the public highway and the appeal site itself.
14. In light of my findings, I conclude that the proposal would have a limited, localised visual impact. However, this would not be harmful to the character and appearance of the area which comprises a number of agricultural buildings in close proximity to dwellings. There would be no conflict with the objectives of WCS Core Policies 51 and 57 in this regard, or the design and character core planning principles of the National Planning Policy Framework.

Highway Safety

15. WCS Core Policy 61 requires, amongst other matters, for development to be served by a safe access to the highway network and that safe loading and unloading facilities are provided where these are required as part of the normal functioning of the development. WCS Core Policy 57 makes a cross reference to this policy.
16. It is reasonable to assume that this agricultural building would take a number of deliveries, including feed for animals and bedding. As such, and in accordance with Core Policy 61, safe loading and unloading facilities should be provided, along with a safe access to the adjoining highway.
17. I observed on my site visit that the new building is served by the same access as the dwelling. Visibility at the access is good in both directions and in this regard, I consider that vehicles using the access and associated with the development would not result in harm to highway safety.
18. However, although there was an area of hardstanding to the side of the building which could reasonably be used for parking and for the loading and unloading of vehicles, this is not shown on the submitted drawings. I am required to consider the appeal on the basis of the evidence before me. No evidence has been provided identifying where vehicles could be

loaded and unloaded, and in the absence of such information I cannot be satisfied that safe loading and unloading facilities can be provided.

19. I note the appellant's submissions that there would be fewer deliveries to the site as a result of the new building being larger than those previously approved, and that the person who delivers the hay and straw considers that the access is safe. However, these matters do not justify a development of this nature not demonstrating that there would be safe loading and unloading facilities, particularly given that deliveries to the site are part of the normal functioning of it.

20. I must therefore conclude that the absence of loading and unloading facilities upon the site would be likely to result in vehicles either parking in the road, reversing into the site, or reversing out into the road. Given my observations that this stretch of road is busy at times, with vehicles travelling at speed, the absence of facilities on the site for deliveries would be likely to result in harm to highway safety. This would be in conflict with WCS Core Policy 61 and Core Policy 57 (xiv.).

Conclusion

21. For the above reasons, and having regard to all other matters raised, the appeal is dismissed.

R C Kirby

INSPECTOR