
Appeal Decision

Site visit made on 18 April 2017

by Gareth W Thomas BSc(Hons) MSc(Dist) PGDip MRTPI

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

Decision date: 2nd May 2017

Appeal Ref: APP/Y3940/W/16/3167795

Kings Farm, Little Common, North Bradley, Trowbridge, Wiltshire BA14 0TX

- 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 R Hibbard against the decision of Wiltshire Council.
 - The application Ref 16/05169/FUL, dated 26 May 2016, was refused by notice dated 11 August 2016
 - The development proposed is for two holiday cabins.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are firstly, whether the location is appropriate for the proposed development having regard to national and local policies aimed at promoting appropriate tourism and leisure developments and secondly, the effects of the proposed development on Kings Farm, a Grade II Listed Building.

Reasons

Location

3. The appeal site comprises a paddock area immediately to the east of a range of outbuildings forming part of the curtilage to the Grade II listed building at Kings Farm, which is situated off a lane running northwards from the small village of North Bradley. Roughly triangular in shape, the site adjoins the rear gardens of several dwellings that form a ribbon of development along Westbury Road to the south. Immediately to the north is a recently constructed two storey dwelling whilst to the north east is farmland. The site is located in the countryside outside any defined settlement boundary.
 4. The proposed development would see the construction of two timber chalet buildings within the paddock area, one running alongside the rear elevation of the outbuilding with the second located behind the garden fence to the adjoining dwelling to the north. Each property would provide some 75sqm of accommodation comprising of an open-plan lounge/kitchen, two bedrooms and a bathroom. Patio doors would open out onto the remainder of the paddock area.
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5. The development plan consisting of the Wiltshire Core Strategy (WCS) sets out to deliver high quality sustainable tourism through Policy CP39 and, in turn by reference to the criteria included within that policy. In this respect, proposals which are aimed at promoting growth in Wiltshire's tourism sector will be expected to take place primarily in recognised settlements and where practicable, be located in existing or replacement buildings. Where new developments are required, these should also be directed towards the Local Service Centres and Large and Small Villages as defined.
6. Exceptionally in the countryside, tourism development may be supported outside identified settlements where it can be demonstrated that all the criteria listed (i) to (v) of WCS Policy CP39 are met.
7. There is no evidence to suggest that the accommodation is required in connection with a particular countryside attraction. It is not clear therefore, whether the proposal would help support the local economy or meet an identifiable need. Neither has it been demonstrated that there are no suitable alternative buildings or sites that are available for re-use.
8. The location of the site would mean that occupiers of the proposed holiday cabins would be able to travel to destinations such as the White Horse and Longleat. However, no substantive evidence has been provided to show that there is a demand for such accommodation to support such facilities or whether they would be suitable to serve these attractions. Given the size of the proposed development, it is likely that any support for the local economy would be similarly limited. Despite references to the good local bus services, given the nature of this form of accommodation, any trips to tourist attractions, shops and services would be likely to involve journeys by private car.
9. The proposed cabins would be set alongside existing structures, be constructed of natural materials and be capable of screening through a landscaping scheme that could, in time, help to screen them. However two cabins would represent substantial new buildings in the open countryside which would stand separate from the existing dwelling and outbuildings. Whilst the proposed development would represent a form of residential use that would be located in close proximity to the local resident neighbourhood, I am not convinced by the Council's argument that such holiday accommodation would give rise to unacceptable effects on the living conditions of occupiers of nearby residential properties and in this regard, I accept the appellant's arguments that appropriate fencing would prevent overlooking.
10. I have been referred to a previous planning permission for two holiday cabins at Heytesbury. However, that decision was made in accordance with the West Wiltshire District Plan 1st Alteration, which has now been superseded by the WCS. I accept that the thrust of the latest relevant development plan policy appears very different and no longer lend support to holiday chalet sites that are amongst other things, well screened by landscaping or topography. In any case, I have determined the current proposal on its own particular merits.
11. I conclude on this issue that the location is not appropriate for the proposed development which would materially harm the character and appearance of the countryside, and fail to promote sustainable development. The proposal would be contrary to WCS Policy CP39 which aims to protect the character and appearance of the landscape, steer development to identified settlements and

their services and ensure that new developments meet identified tourism needs through supporting existing countryside attractions.

Listed Building Setting

12. Kings Farm is an attractive 17th century farmhouse which is the most imposing building in this part of the village. The listed building is on the edge of the village and in a generally rural setting. There are attractive traditional range of outbuildings behind the property and forming part of its curtilage. The significance of the building lies in its rural location reflecting its original purpose, its age and the style and quality of its construction.
13. The appeal site and paddock area is immediately to the east of the outbuildings. The paddock area clearly forms part of the setting of the listed building when viewed from the lane to the west and from private properties to the south. A row of trees occupy the paddock's eastern boundary such that views towards the listed building through the paddock area from open countryside to the east are well screened.
14. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard shall be paid to the desirability of preserving the settings of listed buildings, where those settings would be affected by proposed development. The National Planning Policy Framework (the Framework) defines the setting of a heritage asset as the surroundings in which it is experienced. The extent is not fixed and may change as the asset and its surroundings evolve. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be attached to the asset's conservation and, in essence, the more important the asset, the greater that weight should be.
15. The listed building's setting in this case while fairly contained is not confined to its curtilage. Moreover, it has evolved over time, such that parts of it cannot be regarded as its "historic" setting. Such change would include the new dwelling situated alongside the drive to the north and also the paddock area that has been shaped in part by the presence of this new dwelling and the boundary planting. However, from the residential properties fronting Westbury Road, the existence of the paddock area together with the range of outbuildings to the rear of Kings Farm provides a very obvious, immediate and longstanding "rural" and undeveloped backdrop to Kings Farm. From this direction, the listed building has a traditional vernacular form with its setting enhanced by the presence of both the outbuildings and paddock area. The development would intrude unacceptably on the building's immediate setting. The setting's contribution to the listed building's significance would be harmfully reduced, though not to the extent that the latter's special interest would be completely or almost completely lost. Rather, less than substantial harm would result.
16. Paragraph 134 of the Framework states that less than substantial harm to the setting of a heritage asset should be weighed against the public benefits arising from development. I have not been provided with any evidence that the development would provide such public benefit although it would provide holiday accommodation that would otherwise not be available locally. However, I only attach limited weight to this benefit and such does not override the harm that I have identified. Consequently, I find that the proposed development would be contrary to WCS Policy CP58 that seeks to protect

Wiltshire's built heritage. This policy is consistent with the Framework regarding the protection and enhancement of heritage assets.

Conclusion

17. For the above reasons and taking account of all other matters raised, I conclude that this appeal should be dismissed.

Gareth W Thomas

INSPECTOR