

Appeal Decision

Site visit made on 3 May 2017

by Rory Cridland LLB (Hons), Solicitor

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

Decision date: 31 May 2017

Appeal Ref: APP/Y3940/W/16/3167698

Homefarm House, Hoggington Lane, Southwick, Nr Trowbridge, Wiltshire, BA14 9NR.

- 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 S Jones against the decision of Wiltshire Council.
 - The application Ref 15/12235/FUL, dated 30 November 2015, was refused by notice dated 29 June 2016.
 - The development proposed is change of use from a disused barn into 2 holiday cottages.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - (i) the effect of the proposal on the character and appearance of the surrounding area;
 - (ii) whether the site offers an acceptable location for the proposed development, having regard to its accessibility to local facilities; and
 - (iii) whether the existing barn is capable of conversion without requiring major rebuilding works.

Reasons

Character and appearance

3. The appeal site is located in a rural hamlet surrounded by open countryside. It consists of a parcel of land located to the rear of residential properties at Meadow View and Valhalla and to the northwest of Home Farm. The building itself is a steel framed Dutch barn with corrugated metal roof. Three of its elevations consist of galvanised metal cladding while its front elevation consists of masonry panels with metal framed windows and a pair of steel double doors.
 4. The proposal would involve the conversion of the existing barn into two holiday cottages following its partial demolition. However, its utilitarian design and the symmetrical arrangement of windows and doors would erode the building's agricultural original. Furthermore, the addition of wooden cladding on all 4 elevations, while reflective of the nearby stable block, would appear at odds with the neighbouring dwellings which consist mostly of stone or brick. As such,
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it would fail to relate positively to its immediate surroundings and would impact negatively on views towards the site from the wider area. This would be exacerbated by the proposed roof structure which would appear alien within its setting, integrating well with neither the building itself, its immediate neighbours or the wider rural surroundings.

5. Overall, I consider the design of the conversion would be harmful to the character and appearance of the surrounding area and would fail to protect, conserve or enhance the existing landscape. As such, it would be contrary to Core Policy (CP) 51 of the Wilshire Core Strategy (CS) which seeks to ensure that new development protects, conserves and where possible enhances landscape character. It would also be in conflict with CS Policy CP57 which, amongst other things, requires all new development to relate positively to the surrounding landscape and utilise materials which integrate well with its setting.
6. The Council has also referred to CS Policy CP39 in its reasons for refusal. However, that Policy is concerned with the location of tourist accommodation and is of little relevance in the determination of this main issue. I do, however, consider that policy further below.

Location

7. The application site is located in the countryside, outside a defined settlement boundary. CS Policies CP1 & CP2 direct development towards the defined settlements in accordance with the settlement hierarchy. Outside these defined boundaries, development is restricted other than where it is specifically permitted by other policies.
8. One such policy is CS Policy CP39 which directs tourist development in the countryside towards the Local Service Centres and Small Villages where there is reasonable access to services and transport. The appeal site, being located around 1km from the centre of the Southwick, is located outside these areas. However, CP39 also permits limited development away from these areas so long as they satisfy a set of defined criteria. This accords with the advice set out in Paragraph 28 of the National Planning Policy Framework ("the Framework") which aims to support sustainable rural tourism and the expansion of tourist and visitor facilities in appropriate locations.
9. Furthermore, CS Policy CP48 supports development in the countryside where it involves the conversion and re-use of rural buildings for tourism. However, it also requires a set of defined criteria to be satisfied including that it has reasonable access to local services and does not detract from the character and appearance of the landscape. This accords with the advice set out in Paragraph 55 of the Framework which advises against new isolated dwellings in the countryside other than in a limited number of special circumstances. These include where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting.
10. In this case it is clear that the scheme would not satisfy a number of the criteria set out in Policy CP39. Moreover, although the proposal would involve the re-use of an existing building, I have found above that it would be harmful to the character and appearance of the surrounding area and would fail to protect, conserve or enhance the existing landscape character. As such, I consider its impact on the surroundings would be negative. I do not therefore

consider the special circumstances required by Core Policy 48 or Paragraph 55 of the Framework are present in this case.

11. Additionally, I note that the site is not well served by public transport with the nearest bus stop with a regular service being located in Southwick itself. Although the appellants have indicated that services can be accessed on foot within 20 minutes of the appeal site, I note that this would involve navigating narrow rural lanes, with limited footways, limited lighting and variable levels of visibility. This would discourage such sustainable modes of transport and would in my view place a high reliance on the use of the private car. This would be contrary to Core Policy 60 which seeks to reduce the need to travel by private car.
12. Consequently, for the reasons set out above, I find the proposal would be in conflict with CS Policies CP1, CP2, CP39, CP48 and CP60. It would also be contrary to the guidance set out in Paragraph 55 of the Framework.

Rebuilding work

13. CS Policy CP48 permits development outside the recognised development boundaries where, amongst other things, it involves the conversion and re-use of rural buildings for tourism provided the original building is structurally sound and capable of conversion without major rebuilding.
14. It is clear from the evidence that the existing building is structurally sound. Furthermore, although it would involve the addition of new walls to all external elevations, a new party wall and internal partitions, I agree with the Council's structural engineer that there are no significant structural alterations proposed. While I acknowledge that there are a considerable amount of works required to convert the existing barn, it is only where they involve major rebuilding that they would fall outside the scope of CS Policy CP48. In this case the works involved in the conversion, while considerable, do not constitute major rebuilding. As such, I find no conflict with CS Policy CP 48 in this respect.

Other Matters

15. The appellants have referred me to a recently approved development at nearby Wren Farm. However, although I do not have full details of that scheme, I am informed that its approval was predicated on the inability of the Council to demonstrate a 5 year supply of deliverable housing land. The Council has advised that it is now able to demonstrate a 5 year supply of housing land and I have seen nothing which would lead to question that position. As such, I do not consider that nearby development would act as a justifiable precedent for the development proposed. In any event, even if I were to conclude that the Council was unable to demonstrate the requisite supply of housing land, I consider the harm that I have identified above would significantly and demonstrably outweigh the modest benefits that an additional 2 units of tourist accommodation would provide.
16. In reaching my decision, I have had regard to the comments of the local member and the Parish Council as well as the other schemes which I have been referred to by the appellants. However, I have not seen anything which would lead me to conclude that those schemes were sufficiently similar to the proposed conversion that they would act as a justifiable precedent for the development proposed.

Conclusion and Planning Balance

17. I have found above that the existing building is structurally sound and would not require major rebuilding work. However, I have also found that it would be harmful to the character and appearance of the surrounding area and would offer an unacceptable location in terms of its access to local services. In addition, I have found that it would offer limited sustainable transport opportunities. As such, it would conflict with a number of development plan policies.
18. Consequently, for the reasons set out above, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

Rory Cridland

INSPECTOR