
Appeal Decision

Site visit made on 16 May 2017

by David Walker MA MRTPI

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

Decision date: 9th June 2017

Appeal Ref: APP/Y3940/W/17/3169133

Land opposite May Cottage, Homington, Salisbury, Wiltshire SP5 4NG

- 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 James Butcher against the decision of Wiltshire Council.
 - The application Ref 16/07558/FUL, dated 21 July 2016, was refused by notice dated 20 September 2016.
 - The development proposed is a hay barn.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in the appeal are the effect of the proposal on:
 - i) the character and appearance of the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty (AONB), and
 - ii) the living conditions of the occupants of nearby properties having regard to: scale and proximity; and noise, odour and pests associated with animals.

Reasons

Character and appearance

3. The hay barn would be positioned in the corner of a sloping field opposite the settlement in an open countryside setting. At this location the appeal site forms part of the AONB where I have a duty to conserve and enhance the natural beauty of the designated area.
 4. Although on the other side of the road to the settlement, the hay barn would be directly opposite a narrow track between the properties Rosewall and Moonraker where it would be readily seen in views from and on approach to the village. Due to the significant difference in levels between the field and the highway the hay barn would be elevated well above the height of the road. Combined with an overall height of 5m it would be a prominent and incongruous structure in an open setting with minimal enclosures.
 5. My attention has been brought to other buildings along the road but these are low height structures that with screen planting appear less isolated and intrusive. I also acknowledge an existing moveable shelter in the field. This is also prominent in the open setting I have identified but is smaller than the proposal and less harmful overall.
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6. I have given consideration to the scope for mitigation planting but am not satisfied this could reduce to acceptable levels the harmful effects from the scale of the proposal at its prominent position. While hay bales could be placed in the same position there is little evidence that the land would generate sufficient quantities for this to result in significant harm that lends weight to the amount of covered storage proposed.
7. Having regard to the policy at paragraph 115 of the National Planning Policy Framework (the Framework) to give great weight to conserving landscape and scenic beauty in the AONB, the diminution of the openness of the countryside at this location would be harmful. However, I am satisfied that due to the separation of the proposal over the road from the Homington Conservation Area there would be no significant harm to the setting of the heritage asset.
8. On this issue I conclude that the proposed hay barn would harm the character and appearance of the AONB leading to conflict with Core Policy 51 of the Wiltshire Core Strategy 2015 (the CS) that seeks to protect and conserve landscape character.

Living conditions

9. Although described as a hay barn the proposal is required in connection with a new livestock enterprise. Being open fronted there would be nothing to prevent its use by animals. At a distance some 15 m from the nearest residential property the expert advice from the Council's public protection service indicates that there would be impacts from pests, odour and noise. I have little evidence before me to demonstrate otherwise. There would also be a risk of harm to the nearest properties from manure storage run-off.
10. Conditions to limit the use of the hay barn are unlikely to be enforceable as animals would be free to roam into the structure. Such conditions would not meet the tests set down at paragraph 206 of the Framework and could not be relied upon to control the use of the proposal to within acceptable limits. However, while there would be some loss of existing open views for the occupants of the nearest dwellings the degree of separation would not result in an unacceptably overbearing development.
11. Overall, on this issue, I conclude that the harm to the living conditions of the occupants of nearby properties from the potential use of the building by livestock would conflict with Core Policy 57 of the CS which requires development to have regard to the compatibility of adjoining uses and its impact on the amenities of existing occupants.

Conclusion

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

David Walker

INSPECTOR