
Appeal Decision

Site visit made on 28 January 2020

by S Shapland BSc (Hons) MSc CMILT MCIHT

an Inspector appointed by the Secretary of State

Decision date: 26 March 2020

Appeal Ref: APP/Y3940/W/19/3238918

Siennas Valley Farm, Huntenhull Lane, Chapmanslade, Westbury BA13 4AS

- 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 Miss Sharon Snook against the decision of Wiltshire Council.
 - The application Ref 19/04504/FUL, dated 1 May 2019, was refused by notice dated 3 July 2019.
 - The development proposed is extension to agricultural building.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Miss Sharon Snook against Wiltshire Council. This application is the subject of a separate Decision.

Main Issues

3. The main issues are:
 - The effect of the proposal on the character and appearance of the area;
 - The effect of the proposal on the living conditions of neighbouring occupiers having particular regard to odour and noise; and
 - Whether the proposed development would be justified in the context of the existing agricultural business.

Reasons

Character and appearance

4. The appeal site lies within a valley on the outskirts of the village of Chapmanslade. The site lies outside any settlement boundary and is therefore within the open countryside. The site has a small relatively narrow frontage with Huntenhull Lane at the bottom of this valley. Due to the topography, the road as it runs past the site is at a much lower level than the site. Access is taken via a small steep track into the site. Along the frontage there is currently an existing storage barn, as well as a recently constructed temporary farm workers dwelling. There is a hedgerow which runs along the frontage between the existing barn and the highway. The appeal site is located within the Corsley Heath to Chapmanslade Greensand Ridge Special Landscape Area (SLA).

5. The West Wiltshire District Landscape Character Assessment explains that Chapmanslade is at the top of a hill, looking out over the greensand terrace to the east of the area. The countryside is made up of predominately farmland with small fields and intact hedgerows. There is a strong sense of tranquillity and enclosure, with a peaceful rural nature to the area.
6. The appeal proposal is for the construction of an extension to the existing barn. It would be of a similar depth to the existing barn, but would have a reduced width. The barn extension would extend approximately 9.3 metres in length and would result in a barn with a combined length of approximately 21 metres along the site frontage. The proposed roofline of the barn extension would be lower than the existing barn on site, by approximately 1.2metres. It is proposed that the barn extension would be finished with a dark grey corrugated roof sheet, and timber boarding on the upper elevations.
7. Given the sites prominent raised location above the existing highway, the proposed barn extension would be highly visible when viewed from Huntenhull Lane when approached from the west. The extension of the barn would result in built form amongst a much greater area of the site frontage than currently exists. It would effectively fill the majority of the gap at the front of the site between the existing barn and the site access. Whilst I appreciate there is existing mature hedgerows which provide a good level of screening along the site boundary, it does not alter the fact that the proposal would be highly visible from Huntenhull Lane. The bulk and mass of the proposal would result in an overly visually dominant and incongruous feature. This would conflict with the predominately rural nature of the SLA.
8. The appellant has provided a visual impact assessment to demonstrate that the proposed building would not be visible from a number of public viewpoints. The photographs contained within this report appear to have been taken in the summer when the vegetation around the site and further afield is in full leaf, and therefore provides a good level of screening of the site. However, at times of the year when these hedgerows are not in full leaf it would be possible to view the proposal from public viewpoints, which includes a number of public footpaths and bridleways. Whilst the impact of the building on the landscape would be lessened by viewing the proposal through these hedgerows during the summer, this would not ameliorate the harm that I have found.
9. Consequently, I find that the proposal would harm the character and appearance of the area and the Special Landscape Area within which the site lies. It therefore conflicts with Core Policies 51 and 57 of the Wiltshire Core Strategy (CS) January 2015. Together, these policies seek, amongst other things that development is of a high-quality design which protects and conserves landscape character. I also find conflict with Saved Policy C3 of the West Wiltshire District Plan First Alteration, which seeks, amongst other things that the landscape character of Special Landscape Areas is conserved and enhanced. There is also conflict with paragraphs 127 and 170 of the National Planning Policy Framework (the Framework). Together these seek, amongst other things, that development is sympathetic to local character and enhances the natural and local environment.

Living conditions

10. Adjacent to the appeal site are the residential properties of Saddlestone Barn and Stable Cottage. Concerns have been raised by the Council and third parties

that the proposal would cause harm to the living conditions of these neighbouring occupiers in respect of odour and noise. The appellants have indicated there is a need for this building to provide additional storage, as well as a range of activities relating to the keeping of alpacas.

11. Whilst it is not the intention to permanently house livestock within the proposed barn extension, the appellants have indicated that a number of activities relating to the keeping of alpacas would take place within this proposed extension. During my site visit I observed that the area of the site where this extension is proposed was largely unused aside from informal storage of equipment. There would therefore be a degree of new additional noise associated with the proposed operations within the proposed barn extension, and the appellant has provided no cogent evidence as to why this would not impact on the living conditions of the occupiers of the neighbouring properties. I have been presented with no measures which could adequately mitigate the harm of the additional noise from the barn extension and therefore I find it would harm the living conditions of neighbouring occupiers in respect of noise.
12. Concerns have been raised that the proposal would result in harm in respect of odour from keeping livestock within this barn extension. The evidence submitted by the appellant demonstrates that livestock would not be permanently housed within this barn extension, and a planning condition restricting this could be imposed. Furthermore, the appellant has indicated that dung would be removed from the barn extension regularly and stored a fair distance away from these residential dwellings. I am satisfied that a waste management plan could be conditioned which would adequately deal with issue. Therefore, I find that the proposal would not harm the living conditions of neighbouring occupiers in respect of odour.
13. Consequently, I find that the proposal would harm the living conditions of neighbouring occupiers with particular regard to noise. It therefore conflicts with Core Policy 57 of the CS. This policy seeks, amongst other things, that development ensures an appropriate level of amenity with neighbouring occupiers.

Justification

14. The Council has raised concerns that there is no demonstrable need for an extension of this size to the existing barn in this location. In reaching this conclusion they have relied predominately on a report produced by their agricultural consultant on a previous application¹ on the appeal site, and comments made by the Inspector in their subsequent appeal decision². At the time it was found that there was no justifiable need for a barn extension which totalled 55m². That report has not been submitted by the Council as part of their evidence so I cannot be certain that the conclusions drawn by their agricultural consultant at that time remains valid for this application.
15. The appeal proposal is for an extension to the barn which is approximately 82m², and the appellant has submitted their own agricultural appraisal³ in support of the proposals. This concludes that there is a need for an undercover

¹ Planning application reference 14/03770/FUL,

² APP/Y3940/W/14/3001801 dated 13 April 2015

³ Agricultural Appraisal produced by Reading Agricultural Consultants dated April 2019

area to provide a number of functions for the alpacas. This includes somewhere for the alpacas to shelter during inclement weather, pens for stud males, dedicated birthing areas, maternity and after care areas, areas suitable for veterinary interventions and a space which is suitable for shearing and the storage and processing of fleece. In addition, the barn extension would provide additional storage for feed, hay, husbandry equipment and other items associated with the agricultural business. In the absence of any cogent evidence from the Council on this point, I am satisfied that there is a demonstrable need and justification for an expanded barn in this location.

16. Consequently, I find that on the basis of the information before me as part of this appeal, there is evidence to demonstrate a barn extension of this size is needed in this location. The proposal therefore does not conflict with Core Policy 2 of the CS, which seeks in general terms to restrict development to defined limits of development.

Other matters

17. I note that there has been a number of letters of support for the proposal which indicate that the proposal would provide a boost to local economy and would cater for the welfare needs of the animals on site. I have been presented with no cogent evidence that the barn extension would provide a boost to the local economy. However, I recognise that there are some benefits of the barn extension for the operational needs of the site. The benefits however do not outweigh the significant harm I have identified.

Conclusion

18. For these reasons give above the appeal is dismissed.

S Shapland

INSPECTOR