



Appeal Decision

Site visit made on 1 September 2020

by Stuart Willis BA Hons MSc PGCE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 September 2020

Appeal Ref: APP/Y3940/W/20/3252379

Barn to the south of Stock Lane, Landford Wood Farm, Landford Wood SP5 2ER

- 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 and Mrs Atwal against the decision of Wiltshire Council.
 - The application Ref 20/01798/FUL, dated 28 February 2020, was refused by notice dated 24 April 2020.
 - The development proposed is demolition of the existing agricultural barn and the erection of a detached replacement dwelling, hard and soft landscaping and associated works.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appellant included an Updated Bat Report Letter (Darwin Ecology) as part of their appeal. While not before the Council at the time of their decision, it was submitted at the outset of the appeal and therefore parties have had the opportunity to comment. The main elements of the scheme have not altered from that originally submitted and upon which consultation took place. Against this backdrop, no injustice would be caused to any appeal party or third party by my taking this information into account. I have considered the appeal on that basis.

Main Issue

3. The main issue of the appeal is the effect of the proposed development on the character and appearance of the area including the landscape and scenic beauty of the adjacent New Forest National Park.

Reasons

4. The site is located within a Special landscape Area and adjacent to the New Forest National Park. The appeal site comprises an area of mainly grassed land and an agricultural building within a wider field.
5. The building is set back from the road behind a wide verge with mature vegetation along much of the field boundary. Other than the roof, much of the existing built form is screened from views outside of the site itself. This along with the appearance and height of the existing building ensures it has a relatively discrete presence in short- and long-range views except from the

field access. Given its proportions, materials, scale and roof form the building is of a typically functional agricultural appearance. These factors and the space between the nearest dwellings and the appeal building mean it is seen as part of, and contributes positively towards, the rural landscape.

6. The external materials, elements of the architectural form and 2 storey scale of the proposed dwelling, while reflective of the residential properties nearby, would be at odds with the existing building. Moreover, there have been no examples presented to me to suggest the appearance and form of the proposed dwelling reflects any agricultural buildings in the area and I saw none during my site visit.
7. The proposed dwelling would have a higher eaves and ridge height and, while having a smaller footprint, have a greater overall floor area. The additional height and mass at first floor level would create a more imposing building. The proportions and appearance of the proposed building would be clearly residential. This would be harmful to the current rural character of the site.
8. The proposed dwelling would be located further from the access to the site than the existing building. The closest properties on this side of Stock Lane have a tighter grain than the more generous plot widths elsewhere along it. This separation, including the access retained to the remainder of the field, would result in the proposed dwelling appearing disjointed and removed from the existing properties on the same side of the road.
9. I note the height and positioning of the proposed additional planting and that the existing landscaping would be retained. Nonetheless, given the height of the proposed dwelling it would still be seen from the road as well as from nearby properties in views over and through the landscaping. This includes in views to, from, and with land in, the nearby National Park.
10. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission, and therefore appeals, must be determined in accordance with the development plan, unless material considerations indicate otherwise.
11. The appeal building has been subject to prior approvals for its conversion to a single dwelling¹ and 2 dwellings². These provide a 'fallback position' at the appeal site which is a material consideration. As the approvals have already been given there is more than a theoretical possibility of the fallback position taking place. There is therefore a need to consider what weight to attribute to the fallback position.
12. Both the fallback position and appeal scheme would introduce a residential use and associated paraphernalia at the site. They would also likely require alterations such as enclosing open parts and introducing more residential features such as windows and doors.
13. Nonetheless, from the evidence before me the conversion schemes would have the main external alterations at ground floor level. These alterations would be largely screened by existing vegetation with the more prominent agricultural style roof form being retained. Moreover, even with a larger footprint and volume, the fallbacks would have a smaller floorspace and lower height than

¹ 19/06905/PNCOU

² 18/10614/PNCOU

- the proposed dwelling. Furthermore, they would retain the position and overall proportions of the existing building. Consequently, the fallback positions would be more in keeping with the existing rural character and appearance of the site and not be as prominent in views over the vegetation.
14. The appeal scheme may provide an improved living space and being for a single dwelling result in less traffic movements. Nonetheless, there is no detailed information in relation to this or relative effects of the proposed and fallback schemes on residential amenity.
 15. Even taking account of the potential net decrease in nitrate budgets and the enhancements associated with additional landscaping, the impacts of the fallback schemes would be less than that of the appeal proposal, causing less harm. While the fallback is a consideration, it does not offer a basis to allow the appeal in light of the above concerns.
 16. As such, the appeal scheme would significantly harm the character and appearance of the area. It would be contrary to Policies 24, 51 and 57 of the Wiltshire Core Strategy Adopted January 2015 (Core Strategy) and Saved Policy C6 of the Adopted Salisbury District Local Plan 2003. These, in part, aim to protect landscape character, ensure developments are complementary to the locality, and preserve and conserve Special Landscape Areas and the New Forest National Park.
 17. It would also fail to accord with the National Planning Policy Framework where it states great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks.
 18. Policies 1 and 2 of the Core Strategy set out the settlement strategy for the Council and how this will be delivered. These are included in the refusal reasons. Nevertheless, as they do not relate to character and appearance considerations, and the Council accepts that the prior approvals form a fallback position for residential development on the site, they are not directly relevant to the main issue before me.

Other Matters

19. My attention has been drawn to other decisions within the Council area for new dwellings. Unlike in the scheme before me, the appeal at 6 Halfway Firs³ related to a building being replaced by a dwelling that the Inspector described as 'barn-like' and of the same dimensions. In that case the Inspector found that the effect of the proposed scheme would be similar to that of the fallback position. I have found that this proposal would result in greater harm.
20. From the information before me the height of the new dwelling was to be greater than the building it replaced in the Tudor Cottage scheme⁴. Nevertheless, while there is no indication of a first floor at the building to be demolished, the double height glazing gave the appearance of it being partly 2 storey in height and the proposed dwelling had rooms in the roof space rather than being full 2 storey. Therefore, that scheme is not directly comparable to this one.

³ APP/Y3940/W/18/3200095

⁴ 20/01155/FUL

21. The officer report for the scheme at Longhedge Farm Yard⁵ describes the site as being “immediately adjacent to a large site that is being developed for a mixed use, large scale housing estate which will effectively act as an urban extension to the City of Salisbury” and the proposed building having a “faux agrarian design”. This is materially different to the context of the site and proposed dwelling in this appeal.
22. That the Council have not raised any concerns over the effects of the scheme on the living conditions of nearby residents is a neutral factor.
23. I appreciate the appellant has amended the proposal from a previous submission in an attempt to overcome the Council’s concerns. Nonetheless, I have found that unacceptable harm would arise from the appeal scheme.

Conclusion

24. Therefore, for the reasons given above and having regard to all matters raised, I conclude that the appeal should be dismissed.

Stuart Willis

INSPECTOR

⁵ 19/03243/FUL