



Appeal Decision

Site Visit made on 20 July 2021

by Tamsin Law BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 October 2021

Appeal Ref: APP/Y3940/W/21/3268931

Rear Barn, Land at Devizes Road, Potterne, Devizes, SN10 5LN

- 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 Amy Towill against the decision of Wiltshire Council.
 - The application Ref 20/07424/FUL, dated 1 September 2020, was refused by notice dated 7 January 2021.
 - The development proposed is the conversion and change of use from former storage building to single dwelling.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Miss Amy Towill against Wiltshire Council. This application is the subject of a separate decision.

Preliminary Matters

3. On 20 July 2021, the Government published a revised version of the National Planning Policy Framework (the Framework). I have had regard to comments, from the main parties in regard to this. There have been no fundamental changes relevant to the main issues in this appeal.

Main Issues

4. The main issue are:
 - Whether the existing building is capable of conversion without major rebuilding; and
 - Whether the appeal site is in a suitable location for new housing, having regard to access to local services.

Reasons

Policy Background

5. Core Policy 1 of the Wiltshire Core Strategy 2015 (CS) sets out the settlement strategy for Wiltshire and identifies the settlements where sustainable development will take place. The appeal site is outside the defined limits of development of Potterne, which is identified as a Large Village in Core Policy 12 of the CS. Core Policy 2 sets out that, other than in circumstances permitted by other policies within the plan, development will not be permitted outside the limits of development as defined on the policies map.

6. CS Core Policy 48 is one such policy which, amongst other things, permits conversion and re-use of rural buildings for employment, tourism, cultural and community uses, subject to certain criteria being met. The proposal relates to residential development, and the parties have focussed on criterion i. of this policy, which requires the building to be structurally sound and capable of conversion without major rebuilding and with only necessary modification.

Conversion

7. The appeal site comprises a detached agricultural barn constructed of concrete block and timber boarding under a profile sheet roof. The agricultural barn is located in a field in an area that is largely agricultural in character and is accessed via a single lane track stemming from Devizes Road.
8. The appellant's structural assessment details that the existing building is structurally sound and confirms that no elements of its frame is to be removed. It goes on to state that a considerable amount of internal insulation would be required, along with timber cladding around all existing walls. It also states that most of the internal blockwork would be retained and utilised for the introduction of a mezzanine floor however there would be some element of repair or like for like replacement of some elements of the structure.
9. No information regarding the level of like for like replacement has been submitted. Additionally, alterations such as the insertion of large areas of glazing into areas where there are no existing openings are proposed and no details have been provided to explain how such alterations can be accommodated in the existing structure. Although it is recognised that to facilitate a conversion some works would be required, the proposed development, would require significant internal and external works. The structural assessment does not contain any structural calculations with regards to whether the building could withstand the proposed cladding, insulation and other works such as solar panels and little information regarding the totality of works required has been provided.
10. As such, based on the evidence submitted, I am not satisfied that the existing building is capable of construction without major rebuilding. Therefore, the proposal would be significantly harmful in planning terms, and it would conflict with CS Core Policy 48 which provides that residential development involving the conversion and re-use of rural buildings may be appropriate where it meets certain criteria, including that the building is capable of conversion without major rebuilding, which has not been demonstrated.

Suitability of location for new housing

11. The site is not located within a development boundary and is therefore considered to be in the open countryside. When travelling along the access road to the site the area has a rural character, with agricultural fields, mature trees and hedgerows adding to its character. The site is located on a single-track road that slopes up towards the site with no footpaths or street lighting. The track provides access to a number of residential dwellings.
12. The site is located in between Potterne and Devizes, which contains a range of services to meet day to day needs. However, the site is more closely aligned with its surrounding rural characteristics than the more built-up area of Potterne and Devizes. During my site visit, I noted that Devizes Road benefits

from a pavement, however occupiers of the proposal would need to travel some 500 metres along the single, unlit track and cross Devizes Road before reaching this. A bus stop is provided on Devizes Road; however, users would need to travel along the aforementioned road to reach this.

13. The distance between the site and these settlements, the narrow and sloped nature of the track and the lack of pavement and street lighting would discourage the occupiers of the proposed dwelling from walking or cycling to access shops, services and facilities. Therefore, it is reasonable to conclude that occupiers of the proposed dwelling would be heavily reliant upon the use of a private car to access shops, services and facilities, especially during the winter months when daylight hours are limited.
14. In conclusion, the proposal would not provide a suitable location for housing having regard to the accessibility to services and facilities. Therefore, it would not accord with CS policies Core Policy 1, Core Policy 2, Core Policy 12, Core Policy 60, and Core Policy 61 and Policy PNP1 of the Potterne Neighbourhood Plan which, amongst other things, seek to protect the countryside from inappropriate development and reduce the need to travel by private car. It would also not meet the aims of paragraph 8 of the Framework in terms of ensuring accessible services and facilities.

Other Matters

15. The appellant has referred to perceived inaccurate application of permitted development rights and policy by the Council as well as an inconsistent approach to proposals submitted under CS policy Core Policy 48. However, I have determined the appeal based on my own consideration of the proposed works and the relevant policies contained within the development plan.
16. I note the concerns raised by the appellant regarding the handling of the application, however this has had no bearing on my consideration of the appeal.
17. Both parties have drawn my attention to examples of similar developments within the area, including some appeal decisions. However, I do not have full details of these examples in front of me, particularly with regard to drawings and any structural reports associated with them. Therefore, I cannot draw any direct comparison between these examples and the proposal before me that would weigh in its favour.

Conclusion

18. For the above reasons, there are no relevant material considerations, including the approach of the Framework, that would indicate a decision otherwise in accordance with the development plan. It is for this reason that the appeal should be dismissed

Tamsin Law

INSPECTOR