



Appeal Decision

Site visit made on 13 September 2022

by R E Jones BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 October 2022

Appeal Ref: APP/Y3940/W/22/3292681

Agricultural building at Charlton, Shaftesbury, SP7 0EN, 390370, 121984

- 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 Andrew Fraser against the decision of Wiltshire Council.
 - The application Ref PL/2021/05463, dated 23 May 2021, was refused by notice dated 16 September 2021.
 - The development proposed is change of use of agricultural building to 1 no. dwelling (resubmission of 20/06835/FUL).
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area, including its location within the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty (AONB).

Reasons

3. The site is within the AONB and Paragraph 176 of the National Planning Policy Framework (the Framework) makes clear that great weight should be given to conserving and enhancing landscape and scenic beauty in such areas. Moreover, the scale and extent of development within AONBs should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.
4. Charlton is an attractive rural village that contains a small number of dwellings and farmsteads. The appeal building, a stone-built utilitarian, low profile, structure, is located opposite a short row of dwellings on the northern side of Watery Lane. It is sited within a clearing surrounded primarily by tall mature trees that backs on to a large undulating field. When viewed from the road and the adjacent public footpath, the building appears somewhat solitary given the lack of built development to its side and rear. The appeal site's largely undeveloped setting and attractive pastoral backdrop make a valuable contribution to the character of the site and area and therefore the AONB.
5. The submitted drawings show areas for the parking of vehicles and the placing of outdoor seating around the proposed dwelling. These would replace the existing soft grassed areas that currently surround the building. Together with parked vehicles, external domestic paraphernalia and lighting requirements, an intensive domestic environment would be created, where currently one does not exist. Although the existing trees would screen those features from some vantage points, they would be clearly observed through the site access and

from the adjacent public footpath and field. The effect of the changes would unacceptably erode the scenic qualities of the AONB and the rural character and appearance of this part of Watery Lane.

6. The appellant has suggested that further trees, required by a condition, could be planted to screen the dwelling. However, given the site's open setting at the rear and the wide gap created by the vehicular access, I am not convinced that additional planting would effectively screen the site and therefore overcome my concerns.
7. The main physical changes to the building, include altering the single plane roof to a pitched roof and the insertion of new windows and doors in the west elevation. The building's traditional stone walls would be retained. The changes proposed are relatively modest in scale and would largely maintain the simple appearance and profile of the building. Notwithstanding the absence of harm in this respect, the physical changes to the building would not overcome the harm associated with the erosion of its attractive setting.
8. Therefore, in light of the above, the proposal would cause significant harm to the character and appearance of the area and the AONB. It would fail to accord with Core Policies CP48, CP51 and CP57 of the Wiltshire Core Strategy. These require, in part, that proposals protect, conserve and where possible enhance the character and setting of rural buildings and the surrounding landscape, as well as the special qualities of AONBs. It would also fail to accord with Paragraph 176 of the Framework.

Other Matters

9. As a conversion opportunity the proposal would align favourably with aspects of the Framework that promote the efficient use of buildings and land, as well as limiting the use of natural resources. However, this would not resolve the conflict with other aspects of the Framework that relate to the protection of AONBs, matters which attract great weight.
10. The proposal would enable the appellants to continue living in the village and support their sons who would be taking a more active role in running the family farm. I acknowledged that there would be locational benefits to living nearby, however, without the assessment of the availability of other, less harmful, accommodation options I am unable to give much weight to this argument.
11. The appellant has provided reasons why the appeal building's use for employment or other uses would be impractical. These include the availability of buildings in more accessible local centres, being uneconomic for commercial uses and a presumed lack of interest owing to the site's rural location. However, I have no evidence that the site has been actively marketed for rent or sale for non-residential uses or whether any interest has been generated locally. Therefore, without any compelling evidence to gauge local demand for uses other than residential, there is no clear evidence that those other uses are not practical propositions.
12. Several third-party letters have been submitted supporting the re-use of the building along with its sympathetic design and use of materials. However, given the harm to the building's setting, the support from third parties, in those respects, would not overcome my concerns.

Planning Balance

13. The Council acknowledges that it does not have a five-year supply of housing land and therefore Paragraph 11 of the Framework is engaged. Paragraph 11(d)(i) of the Framework states that in such circumstances permission should be granted unless the application of policies in the Framework that protect assets of particular importance provide a clear reason for refusing the development. Pursuant to footnote 7, this includes instances of harm to designated sites such as AONB. The Framework therefore provides a clear reason for refusing the proposal in any event, and the presumption in favour of sustainable development is not engaged.
14. The proposal would provide an additional dwelling, albeit Charlton's rural location would not make it easily accessible to a range of nearby shops and services. It would also add to the Council's supply of housing, although, the addition of one unit would make a modest contribution in this regard. I therefore attribute minor benefits to these aspects of the scheme.
15. In addition, there would be local economic benefits deriving from the construction of the development, and from the economic activity associated with future occupants. However, given the modest scale of the development such benefits attract minor weight.
16. The proposal would not cause harm to neighbouring living conditions, whilst no ecological or highway safety concerns are raised. Furthermore, the Council seems satisfied with the conclusions of the appellant's structural survey. Yet, the absence of harm in these respects is not a benefit and these are of neutral consequence in the planning balance.
17. Taking the above into account, the adverse impacts that I have identified in relation to the character and appearance of the AONB, and the overall conflict with the development plan would significantly outweigh the scheme's benefits, when assessed against the policies in the Framework as a whole. Therefore, material considerations, in this case, do not indicate that the appeal should be determined other than in accordance with the development plan.

Conclusion

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

R E Jones

INSPECTOR