



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: 02 November 2022

Appeal Ref: APP/Y3940/W/22/3293001

Land to the rear of 127 East Gomeldon Road, Gomeldon SP4 6NB

- 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 Sam and Ruby Diffey against the decision of Wiltshire Council.
 - The application Ref PL/2021/08548, dated 3 September 2021, was refused by notice dated 22 November 2021.
 - The development proposed is conversion of existing barns to form a single storey two bedroom residential dwelling (Use Class C3) and associated works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A structural report and amended drawings have accompanied the appeal. This represents additional information. The appeals procedural guide makes it clear that 'the appeal process should not be used to evolve a scheme, and it is important that what is considered by the Inspector is essentially what was considered by the local planning authority, and on which interested people's views were sought'¹.
3. Nevertheless, it is my view, that the additional information does not fundamentally alter the scheme in terms of its design, scale and layout. Whilst I appreciate that the structural survey is technical in nature, the Council have had sight of it and had the opportunity to comment. I have therefore assessed the appeal on the basis of the additional information.

Main Issues

4. The main issues are:
 - the effect of the proposal on the character and appearance of the area; and
 - whether the proposal complies with local policies for the conversion and re-use of rural buildings, with particular reference to the appeal buildings being structurally sound and capable of conversion without significant rebuilding.

Reasons

Character and appearance

5. The appeal site comprises two vacant single storey barns and an area of associated pasture, located behind a long line of dwellings fronting East Gomeldon Road. There is a large gap maintained between the barns and the host dwelling at No 127

¹ Annex M, M.2.1, The Planning Inspectorate Procedural Guide, Planning Appeals – England, August 2019

East Gomeldon Road (No 127) and they appear somewhat divorced from it, and the other dwellings fronting the road. Instead, the barns are seen in a more rural context close to adjacent fields and enclosed paddocks, as well as some occasional utilitarian buildings, also set behind and away from the dwellings to the south.

6. East Gomeldon, along with some nearby villages, forms part of a network of closely related settlements separated by undulating and attractive countryside. The Idmiston Parish Council Neighbourhood Plan 2015-2026 (the Neighbourhood Plan) provides the local policy context for the site and the surrounding villages. Policy 1 emphasises the importance of the physical and visual breaks between the villages so they remain as recognisably separate places with their own identities. The policy does not support development which prejudices the existing separation of the villages from each other. Policy 3 outlines the importance of the edges of settlements and requires that new development minimises the visual impact upon those locations.
7. The proposed residential dwelling would primarily utilise the existing built envelope of the barns. The linking of the barns with a modest addition would unify the structures, while the proposed re-cladding in appropriate materials, which the Council agree to in principle, would represent a visual improvement to their appearance.
8. Nonetheless, the large green space to the side and rear of the barns would likely be used for the parking of vehicles and the placing of residential paraphernalia such as seating and clothes drying areas. Therefore, a more intensive residential environment would be created that would be visually at odds with the more open and undeveloped setting of the site.
9. It is acknowledged that some frontage properties further to the south have deep rear gardens that extend close to the position of the appeal barns. Yet, the proposal would result in residential development in a more advanced position beyond those neighbouring properties and would encroach further into the open countryside. This would harmfully infringe upon the important undeveloped space separating the villages of East Gomeldon and Porton, as well as eroding the settlement's edge. The effect of this would be visible from surrounding land and appear discordant and disconnected in relation to the more integrated arrangement of dwellings fronting East Gomeldon Road.
10. The appellant will accept the removal of permitted development (PD) rights at the site, as well as additional landscaping to improve screening around the proposed dwelling. However, the removal of PD rights would not overcome my concerns regarding the use of the space around the proposed dwelling and the encroaching effect this would have upon open countryside. Furthermore, given the site's elevated position above East Gomeldon Road and likely views through the site access, I am not convinced that additional planting would effectively screen the site and therefore overcome my concerns.
11. In conclusion, the proposal would have an unacceptable effect upon the character and appearance of the area. It would fail to accord with Policy CP48(ii) of the Wiltshire Core Strategy (2015) (Core Strategy), Saved Policy C6 of the Salisbury and District Local Plan (2003), the Neighbourhood Plan and Design Policies 6 and 10 of the Idmiston, Porton and Gomeldon Village Design Statement. These require, amongst other things, that the siting and scale of proposals do not harm or detract from the character of the surrounding landscape and built environment, while protecting the prevailing settlement pattern in the area.

Structural Survey

12. Core Policy 48 of the Core Strategy states, amongst other things, that the re-use of rural buildings will be supported providing they are structurally sound and capable of conversion without major re-building.
13. The larger barn, referred to as the 'first barn' in the structural survey measures around 10m in length by 9m in width. The roof covering and metal clad walls both contain asbestos. They will be removed thus leaving the building's metal frame. Non-asbestos wall and roof cladding would be introduced as well as an insulated timber frame structure within the building. The 'second barn' is a longer, albeit narrower structure, measuring approximately 15m in length by 3.7m in width. Its asbestos sheet roof would be replaced with a non-asbestos equivalent, while additional cladding would be fixed to the barn's external walls to insulate the building. The ground floor of each barn would be insulated and covered with screed or timber boarding.
14. Concerns have been raised that the proposed works go beyond the test outlined in the policy while there are doubts whether the existing metal frames of the barns can support any additional weight associated with the new works.
15. It is acknowledged that the new roof and wall cladding to all sides of the first barn would amount to significant changes to the structure. Yet those works apply to only part of the proposal given that the external walls will remain at the second barn. It would also seem, from the details in the survey, that the walls and roof of the barn are not defective structurally and are likely being removed for health and safety reasons, given the commonly acknowledged dangers associated with asbestos. Therefore, on balance, the proposed wall and roof coverings to the first barn would not result in major re-building as a proportion of the scheme.
16. In terms of the internal works proposed, these are reasonably required to secure the proposed dwelling from external moisture while ensuring it is thermally efficient. Such alterations are common when converting functional, often rudimentary, rural buildings to dwellings. They would also amount to additions to the existing structure rather than rebuilding works. Besides, there is nothing to indicate that the weight of the additional works would be problematic or that the existing structures would be unable to accommodate them.
17. Therefore, I conclude that the proposal complies with Policy CP48(i) of the Core Strategy for the conversion and re-use of rural buildings, as the appeal buildings are structurally sound and capable of conversion without significant rebuilding.

Other Matters

18. In the absence of acceptable mitigation to offset phosphorous discharges into the River Avon catchment, the Council has concerns that the proposal would have unacceptable effects on the integrity of the associated Special Area of Conservation (SAC). Furthermore, the site is within the zone of influence of the Porton Down Special Protection Area (SPA) and the Salisbury Plain SAC. The appellants dispute the need for mitigation of the proposal's effect on the designated sites, as in their view, the scheme is policy compliant or can be dealt with through community infrastructure levy contributions.
19. However, as one of the main issues provide clear reasons for dismissing the appeal, there is no need for me to consider the implications of the development on the integrity of the SPA/SAC or the provisions of the Conservation and Habitats and Species Regulations 2017 (as amended), since my findings on that issue would not change the appeal outcome.

Planning Balance

20. The Council is unable to demonstrate a 5-year supply of deliverable housing sites. Consequently Paragraph 11 d) of the National Planning Policy Framework (the Framework) is engaged.
21. Paragraph 8 of the Framework defines the three dimensions of sustainable development as performing economic, social and environmental objectives.
22. When judged against some of the core planning principles of the Framework, the appeal proposal would perform well in that it would re-use an underutilised building close to a small village. The re-cladding of the barns would lead to some visual improvements in their appearance given their current ageing state. Moreover, the proposal would result in social and economic benefits associated with the provision of one dwelling, make a modest contribution to the Council's housing supply as well as the government's target to significantly boost the range and supply of homes. The provision of one additional unit would therefore have minor benefits.
23. A high standard of design and the protection of our natural environment are also key aspects of sustainable development. The harm I have identified to the character and appearance of the area would be significant. As a result, the social and environmental objectives of sustainable development of fostering well-designed and beautiful places that protect the natural and built environment would not be achieved. Whilst the Framework encourages the efficient use of land in meeting the need for homes and requires the Council to approach decisions in a positive and creative way, these matters are not unqualified and would not address or outweigh the aforementioned harm that I have identified to the character and appearance of the area.
24. I have found that the appeal buildings are structurally sound and capable of conversion without significant rebuilding. However, this would not amount to a scheme benefit that would outweigh those harmful aspects of the scheme.
25. Therefore, when assessed against the policies in the Framework taken as a whole, the adverse impacts would significantly and demonstrably outweigh the benefits. Therefore, the proposal would not be a sustainable form of development. The conflict with the development plan is not outweighed by other considerations, including the Framework.

Conclusion

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

RE Jones

INSPECTOR