



Appeal Decision

Site visit made on 29 May 2024

by E Worley BA (Hons) Dip EP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 August 2024

Appeal Ref: APP/Y3940/W/23/3327178

Wall Ground Farm, Sopworth Road, Sherston SN16 0QB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Paul Bridgman against the decision of Wiltshire Council.
 - The application Ref is PL/2022/08298.
 - The development proposed is the change of use of existing building to a separate dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for the change of use of existing building to a separate dwelling at Wall Ground Farm, Sopworth Road, Sherston SN16 0QB in accordance with the terms of the application, Ref PL/2022/08298, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: drawing number 5165/03 Site Location Plan; drawing number 5165/04 Rev B Block Plan; drawing number 5165/50 Rev B Proposed Floor Plans; and drawing number 5165/51 Rev A Proposed Elevations.
 - 3) Prior to their installation, details of the materials to be used externally on the walls and roofs of the building shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and retained as such thereafter.
 - 4) Prior to their installation, details of all windows, doors and rainwater goods shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and retained as such thereafter.

Application for costs

2. An application for costs was made by Mr Paul Bridgman against Wiltshire Council. This application is the subject of a separate Decision.

Preliminary Matters

3. The description of development above is taken from the planning application form; however, I have removed the words 'revised proposal' as these do not describe an act of development.

4. The planning application was submitted by Mr and Mrs Paul Bridgman. The appeal has been submitted in the name of Mr Paul Bridgman and proceeds on that basis.
5. An Addendum to the Viability Report by Wolley & Wallis dated 13th July 2023, and extracts from John Nix Pocket Book for Farm Management 2023 and The Agricultural Building and Costing Book, as well as information relating to build costs have been submitted as part of the appeal. The Council has had the opportunity to comment on this information in their submissions, as such no injustice would occur should I determine the appeal on the basis of this information.

Main Issue

6. The main issue for consideration is whether the development would be in a suitable location, with regard to the development strategy and access to services.

Reasons

7. The appeal site comprises a hay barn which forms part of a small group of buildings. The site lies beyond a settlement boundary and is within an area of open countryside for planning policy purposes. The appeal proposal would see the conversion of the central Dutch barn and lean-to to one side, while a second lean-to wing would be removed.
8. Core Policy 1 of the Wiltshire Core Strategy adopted 2015 (WCS) sets out the settlement strategy for the area and includes a hierarchy of settlements to which new development will be directed. In accordance with Core Policy 2 of the WCS, development will not be permitted outside the limits of development, as defined on the policies map, other than in circumstances as permitted by other policies within the WCS. Core Policy 13 of the WCS sets out that development in the Malmesbury Community Area should be in accordance with the settlement strategy set out in Core Policy 1.
9. Core Policy 48 of the WCS supports proposals to convert and re-use rural buildings for employment, tourism, cultural and community uses, where specific criteria are met, including that the site has reasonable access to local services. It goes on to say that where there is clear evidence that such uses are not practical propositions, residential development may be appropriate where it meets the criteria set out. Saved Policy H4 of the North Wiltshire Local Plan 2011 adopted June 2006 (NWLP) permits new dwellings in the countryside in specific circumstances, none of which would apply to the appeal proposal.
10. Notwithstanding the Council's concern regarding the financial viability of an alternative employment use of the building, it accepts that the conversion of the building to an employment use would not be practical and there is likely to be no demand for the re-use of the building for business purposes in this location.
11. While the appellant has not submitted evidence of any efforts which have been made to secure a community or cultural use, through the marketing of the building, they indicate that there is no demand for such uses given the existing community and cultural spaces within Sherston. I consider that a community or cultural use would be impractical given the size of the building and its location

and limited parking, particularly in view of the better located existing community buildings.

12. I note the appellant's contention that it is unlikely that there would be a significant demand for holiday lets in this location, however, there are a variety of tourist attractions in the surrounding area, as well as local facilities such as pubs and public rights of way, which would make the rural location attractive to visitors. Furthermore, the Council's Public Protection Officer has confirmed that, despite its proximity to the adjacent working yard, occupation of the building for residential purposes, which is not dissimilar in nature to a holiday let, would offer acceptable living conditions. As such, notwithstanding the site layout, which includes a shared access, the rural location would nonetheless offer a degree of tranquillity. Consequently, there is little compelling evidence that the building would not be suitable for use as tourist accommodation or that there is not a demand for such provision.
13. It is unlikely that a holiday let would be occupied 100% of the time, as initially put forward by the appellant. Moreover, there is no clear justification as to why the reduced occupancy rate of 60%, as set out in the John Nix Pocketbook for Farm Management 2023 and The Agricultural Building and Costing Book, would not be more realistic. The addendum to the appellants Viability Report¹ confirms that, based on the Council's suggested rental income of £38,430 per annum, which would more closely reflect similar sized units in the area, and applying a 75% occupancy rate, which exceeds the accepted industry average, the site value would be in a deficit of £112, 206.
14. The Council has questioned the basis on which the interest/finance rates in the Viability Report were derived. The appellant has confirmed that these were based on guidance in the John Nix Pocketbook for Farm Management and professional advice, and there is no substantive evidence to demonstrate why this is not a reasonable approach. Consequently, based on the information before me, I find that the tourism use of the building as a holiday let would not be financially viable.
15. Notwithstanding its countryside location, the site is not isolated, as there are existing residential properties nearby. The proposal would therefore not constitute an isolated home in the countryside for the purposes of paragraph 84 of the National Planning Policy Framework (the Framework).
16. The site is situated a short distance from Sherston, where there are a range of services and amenities including a primary school, doctors' surgery, village hall, scout hut, public house, restaurants and cafes and convenience store. I observed at my site visit that the stretch of Sopworth Road which runs between the site and the edge of the village, while narrow in part and devoid of a pavement or street lighting, was lightly trafficked, although I appreciate this is only a snapshot in time.
17. While the rural nature of the lane may discourage future occupiers from walking or cycling, particularly in the dark, or during inclement weather, given the relatively modest distance to Sherston, there would nonetheless be opportunities to access local services by such means. As such, future occupiers of the proposed dwelling would therefore not be wholly reliant on the private motor car to access nearby services and amenities. Consequently, despite

¹ Viability Report by Woolley & Wallis dated 23 August 2022

being suboptimal, the site would nevertheless benefit from a degree of accessibility by means other than the car and would therefore benefit from reasonable access to local services. I am also mindful of guidance contained in the Framework which recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas.

18. For the foregoing reasons I therefore conclude that the proposal would be in a suitable location, having regard to the settlement strategy and access to local services. In that regard it would not conflict with Core Policies 1, 2, 13, 48, and Policy H4 of the NWLP and the combined aims of Core Policies 60 and 61 of the WCS which, among other things, seek to reduce the need to travel by private car through encouraging the use of sustainable alternatives and planning development in accessible locations. It would also accord with the aims of the Framework which seek to promote sustainable transport modes.

Conditions

19. The conditions set out above are based on those suggested by the Council in their appeal statement should the appeal be allowed. Where I agree the conditions are necessary, I have amended the wording, in the interests of precision and clarity, and to comply with advice in the Planning Practice Guidance. In addition to the standard condition controlling the timescale within which the development must commence, a condition is required to specify the relevant plans, in the interests of certainty. A condition to agree details of the external materials to be used, as well as the windows, doors and rainwater goods is necessary so as to safeguard the character and appearance of the area. The Council has suggested these should be pre-commencement conditions, however there is nothing before me to justify why this information is required prior to any work taking place on site.

Conclusion

20. For the reasons set out above the appeal is allowed.

E Worley

INSPECTOR