



Appeal Decision

Site visit made on 30 September 2024

by Laura Cuthbert BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 October 2024

Appeal Ref: APP/Y3940/W/24/3336311

Ventus, Marlborough Road, Collingbourne Kingston, Wiltshire SN8 3SD

- 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 Oliver Stock against the decision of Wiltshire Council.
 - The application Ref is PL/2023/02692.
 - The development proposed is Removal of existing shed, landscaping and reduction of ground level to provide a level site, construction of implement store.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. On 22 November 2023, all designated Areas of Outstanding Natural Beauty (AONB's) in England and Wales became 'National Landscapes' (NLs). I have therefore made reference to NLs in my Decision and specifically referred to the North Wessex Downs AONB as the North Wessex Downs NL. However, for the avoidance of doubt, the legal designation and policy status of these areas are unchanged, and I have proceeded on this basis, continuing to refer to the AONB where relevant.

Main Issues

3. The main issues are:
 - whether the proposed development would be in a suitable location, having regard to the development strategy for the area; and
 - the effect of the proposal on the character and appearance of the area, with respect to the significance of the Collingbourne Kingston Conservation Area, the significance of the nearby Grade II Listed Buildings, through development within their setting, and the setting of the North Wessex Downs NL.

Reasons

Development Strategy

4. The appeal site is situated in the village of Collingbourne Kingston, which is defined within the Wiltshire Core Strategy (Core Strategy) (adopted 2015) as a Small Village. These such villages do not have limits of development. Consequently, whilst the appellant states that the appeal site is 'well within the existing village boundaries', due to the lack of a defined settlement boundary in the village, the appeal site is therefore considered to be open countryside.

5. Core Policies 1 and 2 of the Core Strategy set out the circumstances where development will be supported in the Small Villages, which will be limited to infill within the existing built area and where they seek to meet housing needs of settlements or provide employment, services, and facilities, subject to them meeting certain criteria. The Council state that the provision of buildings in the open countryside can also be justified where they are necessary for the purposes of agriculture. However, the appellant describes the proposal as an 'implement store' for 'secure storage for equestrian and property maintenance equipment'. No details of how the proposal would provide employment, services or facilities have been put forward by the appellant, nor has an agricultural need for the building been shown. Consequently, the proposal would fail to meet the exceptional circumstances set out in Core Policies 1 and 2.
6. Therefore, by virtue of its location outside of any defined settlement limits, the proposal would be contrary to Core Policies 1, 2 and 26 of the Core Strategy which, in combination, set out the overarching spatial and settlement development strategy for the district, as well as the Tidworth Community Area.

Character and Appearance

7. The appeal site relates to a parcel of land situated to the rear of Ventus, a detached property. The appeal site forms part of a larger field which extends to the north and further west. At the time of my site visit, the land was maintained grassland, with a small table and chair set positioned on it. Whilst the application form states that the current use of the site is 'domestic garden' the lawful use of the land is in fact agricultural. Both parties refer to a previously approved timber shed on the site, which was approved retrospectively, alongside a portable field shelter. However, both of these structures had been removed from the site at the time of my site visit.
8. The site is enclosed all round with a 3 bar fence, with an access gate to the southwest. To the west, with the verdant open countryside beyond, lies a low lying hedgerow. To the east along the shared boundary with the private garden of Ventus, there are some mature trees, alongside maintained hedgerow and domestic planting. Slightly further to the east, situated at a lower ground level than the site of the proposal, is a brick built, hipped roof double garage associated with Ventus. There is also a levelled gravel parking area to the south of the site, associated with the neighbouring properties to the south.
9. The village is situated in the Bourne Valley, with the form of the village being predominantly linear built form along Marlborough Road. The rising valley sides slope up behind the properties and the fields immediately around the built form of the village, including the appeal site, forms an important part of its rural character and setting. Due to the elevated nature of the fields on the western side of Marlborough Road, these fields are visible from the various Public Rights of Way (PROWs) which run on the eastern side of the valley, albeit my site visit confirmed that the existing built form of the village, alongside mature trees and established vegetation, sometimes obscure these views.
10. The proposed development, by virtue of its height, bulk, and industrial character, due to the dark green metal cladding to the walls and roof and galvanised steel doors, would represent an incongruous structure in the open countryside, harmful to the rural setting of the village. It would introduce built form of an almost industrial nature into the open countryside, for a

development for which there is no agricultural justification to support the proposed 'implement store'. Therefore, the proposal would harm the character and appearance of the area, permanently eroding the positive contribution the existing site makes towards the rural setting of Collingbourne Kingston.

11. There would be a 'reduction in ground level' of approximately 1m in order to 'help minimise the visual impact', as alleged by the appellant. However, I have not been provided with any sectional drawings in order to clarify how this would impact on the current natural and open field. Furthermore, the amount of ground levelling required, alongside the earth bund the appellant mentions would be introduced around the appeal site, would also represent an unnatural feature, serving to isolate, rather than assimilate, the building and associated surrounds from the larger open field it currently forms part of. Whilst I noted the presence of the earth bund which encloses the parking area to the south, this would not outweigh the harm of the earth bund and associated ground level reduction before me now.
12. The location of the proposal would be behind the main dwelling of Ventus, which would help to mitigate it from views from the surrounding footpaths. The appellant has raised concern the Council has misunderstood the location of the proposal in their evidence, including the rough sketch provided by the Council's Conservation Officer which the appellant alleges invalidates 'many of the objections'. However, even if public views of the proposal would be limited, such visibility is not a prerequisite for harm to occur and does not make up for the unsuitable nature of the proposed development.
13. The appeal site lies within the Collingbourne Kingston Conservation Area (CA). The Collingbourne Kingston Conservation Area Statement (CAS) (adopted 2004) states that 'west of the street, rough pasture reaches down the slope to the cottage gardens and except for a mature tree group on the bank above the inn car park plot boundaries towards the south are less well defined'. Whilst the western boundary of the CA does run along the 'hedged field boundary to the west', as stated by the Council, this hedgerow does not necessarily form the horizon when viewed from the west. Nevertheless, as already alluded to, the open countryside which runs along the west of the CA is visible to a degree.
14. The significance of the CA for the purposes of this appeal comes from, in part, its loose linear built form, and its landscape setting within the Bourne Valley. Taking the above into account, I consider that the appeal site contributes positively towards the significance of the CA, as it forms part of the landscape setting of the village that contributes towards the significance of the CA. Due to the harm to the character and appearance identified above, this would in turn harm the contribution the site makes towards the significance of the CA.
15. The Old Bakery and a pair of cottages known as Norrie Cottage and Mayzells are all Grade II Listed Buildings and are positioned approximately 40-50m from the appeal site. The Old Bakery is situated on the same side of Marlborough Road as the appeal site, whilst Norrie Cottage and Mayzells are on the opposite side of the road. All 3 are thatched cottages.
16. The Old Bakery dates from the 17th Century with 19th Century extensions. Its significance for the purposes of this appeal lies primarily within its architectural details and historical and community value, as the village's former shop and post office, as well as a dwelling.

17. Mayzells and Norrie Cottage are two 17th century listed thatched cottages in a continuous range of eight bays and four ridge stacks. Both lie behind narrow front gardens. Their significance for the purposes of this appeal lies primarily from their architectural details, including their strong traditional character, as well as their continuous built-up length and proximity to the roadside.
18. In regard to the setting of the Old Bakery, whilst Marlborough Road is adjacent to the Old Bakery to the east, the appeal site is to the rear of this property, and forms part of its rural setting on the western side of the road in which the heritage asset is experienced. The sense of openness the appeal site provides by way of its lack of built form, contributes positively towards the setting, and thus the significance of the Old Bakery, aiding the understanding of the designated heritage asset as its role as a historical and community use in a rural village. Consequently, the harm to the rural setting of the village and the introduction of built form on to the appeal site, would harm the setting of the Old Bakery, and thus the significance of the designated heritage asset.
19. In regard to the setting of Mayzells and Norrie Cottage, these are separated from the appeal site by the Marlborough Road, which I experienced was a relatively busy road. Given the nature and extent of the proposal, and its distance from these listed buildings, on the opposite side of Marlborough Road and separated by the host dwelling of Ventus, I consider that the settings of these designated heritage assets would be preserved, and their significance would not be harmed.
20. The harm that I have found would be caused to the significance of the CA and the Old Bakery listed building, through development within its setting, would be localised. Accordingly, the harm would be less than substantial. Nevertheless, I afford considerable importance and weight to that harm. The Framework requires that great weight should be given to heritage assets' conservation. As required by paragraph 208 of the Framework, this harm must be weighed against the public benefits of the proposed development.
21. I recognise that the proposal would provide secure storage for equestrian and property maintenance equipment. In addition, there would be some economic benefits associated with the purchase of materials and the construction of the building. Taking all the above into consideration, I am of the view that taken together, the public benefits would not outweigh the harm I have found to the heritage assets.
22. The North Wessex Downs NL lies to the north and east of the village, along the River Bourne and the railway cutting, the designation of which is afforded the highest status of protection, as explained in paragraph 182 of the Framework. Therefore, I have also had regard to the purpose of conserving and enhancing the natural beauty of the NL which extends to considering the setting, given the close relationship of the site to that important designation. Given the harm that I have identified above, this would consequently harm the wider landscape setting due to its elevated position within the sensitive rural setting of the village. Therefore, this would fail to conserve and enhance the landscape and scenic beauty of the NL.
23. Therefore, whilst I consider that the significance of Mayzells and Norrie Cottage through development within its setting would be preserved, I conclude that the proposal would harm the character and appearance of the area, and would harm the significance of the Collingbourne Kingston CA, the significance of The

Old Bakery Grade II Listed Building, through development within its setting, and the setting of the North Wessex Downs NL.

24. It would conflict with Core Policies 51, 57 and 58 of the Core Strategy. These policies, in combination, require a high standard of design to be used in all new developments, with development expected to create a strong sense of place through drawing on the local context and being complimentary to the locality. Development must not have a harmful impact on landscape character, including the locally distinctive character of settlements and their landscape setting and the special qualities of AONB's. Development will be required to be sensitive to all heritage assets and should enhance local distinctiveness by responding to the value of the historic environment.
25. It would also conflict with the principles within Chapter 15 of the Framework in regard to the conservation and enhancement of the natural environment, in particular with paragraph 182 in regard to conserving and enhancing landscape and scenic beauty in the AONB. It would also be contrary to the principles set out in Section 16 of the Framework, which requires great weight to be given to heritage assets' conservation.

Other Matters

26. The appellant mentions a 'recent development of the former Manor Farm Yard, which included the erection of several new dwellings within the CA, most notably 'Paddock House' all of which pushed the edge of the developed area further West, are located relatively close to the listed Barleycorn Inn, and are located further West and closer to the CA boundary than the proposed new building'. However, I have not been provided with any further information in regard to this proposal. Nevertheless, the circumstances in each proposal are likely to be different. I have determined this appeal on its own merits and have found harm for the reasons set out above.

Conclusion

27. The development conflicts with the development plan as a whole. There are no material considerations, including the approach of the Framework, worthy of sufficient weight, that would indicate a decision otherwise than in accordance therewith. The appeal is therefore dismissed.

Laura Cuthbert

INSPECTOR