
Appeal Decision

Site visit made on 30 October 2024

by E Pickernell BSc MSC MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 December 2024

Appeal Ref: APP/Y3940/W/24/3336990

Fleming Farm, B3083 The Common Shrewton North To Rollestone Road, Homanton, Shrewton, Wiltshire SP3 4ER

- 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 Hillyard against the decision of Wiltshire Council.
 - The application Ref is PL/2023/03422.
 - The development proposed is operational works in association with the upcoming change of use of the agricultural building to a workshop under Schedule 2, Part 3, Class R of the General Permitted Development Order.
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Decision

1. The appeal is allowed and planning permission is granted for operational works in association with the upcoming change of use of the agricultural building to a workshop under Schedule 2, Part 3, Class R of the General Permitted Development Order at Fleming Farm, B3083 The Common Shrewton North To Rollestone Road, Homanton, Shrewton, Wiltshire SP3 4ER in accordance with the terms of the application, Ref PL/2023/03422, 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: Location Plan, FLE-101 P03 and FLE-102 P03.
 - 3) No external materials shall be installed on the building subject of this decision unless in accordance with details and samples that shall first have been submitted to and approved in writing by the local planning authority.

Applications for costs

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

Preliminary Matters

3. The appellant intends to convert the appeal building into a workshop which they consider would be permitted by Class R of the Town and Country

Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO). The only requirement of Class R in respect of buildings that do not exceed 150 square metres, set out at para R.3(1)(a), is to provide information to the local planning authority related to the date the use will begin, the nature of the use and a plan indicating the site and the buildings. There are no further provisions or requirements in respect of operational development associated with such changes of use. Nevertheless, the appeal relates to an application for planning permission for the operational works associated with the change of use alone and I have considered the appeal on this basis.

4. The application was accompanied by revised plans which sought to address concerns from the Council that the submitted plans indicated an increase in the size of the building as a result of a scaling issue. Aside from this very minor change the plans are substantially the same as those considered at the time of the application. I am therefore satisfied that the plans do not involve a substantive change to the proposal and that no party would be prejudiced by my taking them into account. I have determined the appeal on the basis of the revised plans.
5. The appeal site is in the Zone of Influence of the River Avon Special Area of Conservation. I return to this matter later in my decision.

Main Issue

6. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

7. The appeal site comprises an existing agricultural building and an area of hardstanding immediately to the east. It is accessed off a rural lane and is located in open countryside which is designated as a Special Landscape Area. The landscape setting comprises a patchwork of fields interspersed with trees and hedges. The appeal building is one of a small cluster of buildings adjacent to the B3083 which leads out of Shrewton.
8. The Council contends that the totality of the works proposed amount to the construction of a new building. The plans are not definitive in this regard although the description of development does not refer to the provision of a new building, rather it references the existing building. I have therefore assessed the proposal on the basis that it comprises operational development related to the conversion of the existing building. Should the building be demolished, and a new one be erected this would be a matter for the Council and the appellant to resolve.
9. Parts of the building currently have open elevations and as a result of the proposed operational works, the building would be fully enclosed. However, the overall form and size of the building would not be changed and therefore the impact on the surrounding landscape would be negligible.
10. The proposed cladding material would be somewhat utilitarian in appearance, but would not be unattractive or unexpected in this context, compared with the existing building. Indeed, a similar material has been used successfully on the adjacent dwelling. The proposed changes to the

building including the provision of roller doors would result in a more industrial appearance to the building. However, given the relatively modest scale of the building and the appropriate materials, this would not result in a harmful impact upon the character and appearance of the area.

11. The building is set down from the bank and vegetation which lines the road meaning that only glimpses of the upper parts of the building are possible from the lane. As such, although the elevations of the building would become more solid as a result of the proposed changes, it would not be prominent or incongruous in views towards the site from the road. In longer views towards the site from the east the building would be seen against a backdrop of vegetation which would soften the effect of the proposed development.
12. I conclude that the proposal would have an acceptable effect on the character and appearance of the area. It therefore would not conflict with Core Policies 48, 51 and 57 of the Wiltshire Core Strategy (adopted January 2015) and Saved Policy C6 of the Saved Salisbury District Local Plan (Adopted June 2003) insofar as they seek to ensure developments achieve a high standard of design, do not detract from the character and appearance of the area and protect and conserve landscape character.

Other Matters

13. I have been referred to two appeals. The Down Farmhouse appeal¹ has some similarities to the appeal scheme as it involved operational development in association with a forthcoming change of use under Class R of the GPDO. In common with the Inspector for that appeal I have found the proposed operational development to be acceptable on its own merits. It is also not necessary for me to consider the provisions of the GPDO further. The Dutch Barn appeal² differs from the appeal scheme insofar as it was for building works that related to a prior approval application under Class R. It is therefore of limited relevance to the appeal.
14. I am aware that the appeal site is near to Homanton House, a Grade II listed building. Mindful of the statutory duty set out in s66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have had special regard to the desirability of preserving its setting. The verdant rural surroundings of Homanton House positively contributes to its significance. Nevertheless, given that the proposed development, relates to alterations to an existing building and the presence of intervening landscaping and road, I consider that it would preserve the setting of this listed building and the contribution it makes to its significance.
15. The appeal site is in the Zone of Influence of the River Avon Special Area of Conservation (SAC). However, as the proposal relates to operational works only it would not lead to significant effects on the SAC and consequently it has not been necessary for me to carry out a Habitats Regulations Assessment.

¹ APP/Y3940/W/20/3260576

² APP/F1610/W/17/2188502

Conditions

16. Conditions are necessary to ensure compliance with the submitted plans and details of materials are needed to ensure a suitable appearance.

Conclusion

17. For the reasons given above the appeal should be allowed.

E Pickernell

INSPECTOR