



Appeal Decision

Site visit made on 1 July 2025

by E Worley BA (Hons) Dip EP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 July 2025

Appeal Ref: APP/Y3940/W/24/3357434

**Barn and Farmyard adjacent to Elm Cottage, High Street, Tilshead, Salisbury
SP3 4RY**

- 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 the Gordon Family against the decision of Wiltshire Council.
 - The application Ref is PL/2024/02391.
 - The development proposed is the conversion of agricultural barn to C3 dwelling, hard and soft landscaping.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for an award of costs was made by the Gordon Family against Wiltshire Council. This application is the subject of a separate Decision.

Main Issues

3. The main issues are:
 - the effect of the proposed development on European sites;
 - whether the proposed development would preserve or enhance the character or appearance of the Tilshead Conservation Area; and
 - whether the proposed development would preserve the setting of nearby listed buildings.

Reasons

European sites

4. The appeal site falls within the catchment area of the River Avon Special Area of Conservation (SAC), also a Site of Special Scientific Interest, and within the zone of influence (Zoi) of the Salisbury Plain Special Protection Area (SPA).

SAC

5. The SAC is designated for its river habitat characterised by water crowfoot and starwort, and species of Atlantic salmon, Bullhead, Brook lamprey, Sea lamprey and Desmoulin's whorl snail. There is potential that the appeal proposal, in combination with other development, could contribute to the unfavourable

condition of the SAC through an increase in foul water produced in the catchment area, leading to increased concentrations of nutrients, including phosphorus.

6. To mitigate the nutrient load and any adverse effects on the integrity of the SAC the appellant proposes to install a GRAF One2Clean 7PE package treatment plant (PTP) at the appeal site. The appellant confirms that nutrient neutrality (zero), could only be achieved through an alternative PTP requiring chemical dosing, which the appeal submissions indicate is not supported by Natural England. The appellant's revised phosphorus nutrient calculation indicates an annual output, with a +20% buffer, of 0.16 kg TP/year. Thus, even if the River Till flow is seasonal, this would represent an uplift in phosphates as a consequence of the proposed development. While I appreciate the amount is modest, the proposal would nevertheless fail to achieve nutrient neutrality.
7. I note the appellant's willingness to enter into the Council's scheme of phosphorus credits to offset the effects of the development. However, even if the development did qualify for the scheme, there is no evidence of a certificate of allocation of credits or a mechanism to secure the necessary financial contribution. In the absence of such, following appropriate assessment under the Conservation of Habitats and Species Regulations 2017, the proposed development, in combination with other development, would therefore have an adverse likely significant effect on the integrity of the SAC by virtue of the additional nutrient load it would generate.

SPA

8. The SPA is designated for its qualifying feature of breeding and wintering birds, including the Eurasian hobby, common quail, stone-curlew and hen harrier. The Council's submissions set out that Habitats Regulations Assessments (HRAs) carried out in relation to the Wiltshire Core Strategy and the Wiltshire Housing Site Allocations Plan found that development within the ZoI would have the potential to have likely significant effects on the SPA through increased recreational pressure, in particular disturbance of the breeding stone curlews.
9. There is, therefore, potential that additional residents at the appeal site, in combination with other development, could result in adverse effects on the integrity of the SPA. The appropriate assessment (AA) concluded that the effects arising from new planned housing growth could be mitigated through monitoring of the stone curlew and visitors, in accordance with the Salisbury Plain SPA - HRA and Mitigation Strategy and agreed with Natural England.
10. While the proposal itself does not form part of an allocated housing site, given the modest scale of the development, it is unlikely to have a tangible effect on the overall anticipated visitor numbers on which the Council's AA was based. On this basis, I conclude that likely significant effects on the integrity of the SPA would be avoided.

Conclusion in relation to European sites

11. Therefore, following AA, while the proposal, in combination with other development, would not lead to adverse effects on the integrity of the SPA, in the absence of suitable mitigation, it would lead to adverse effects on the integrity of the SAC. In that regard it would conflict with the aims of Core Policies 50 and 69 of the Wiltshire Core Strategy, adopted January 2015 (WCS) which seek to protect

features of nature conservation and require development to incorporate measures to avoid and prevent pollution, and to avoid and reduce potential environmental effects on the SAC.

Conservation area

12. The appeal site comprises a modern portal steel framed agricultural building, constructed primarily of corrugated cement panels to the walls and a corrugated metal sheeting to the roof, and an area of adjoining land, which at the time of my site visit was used for the storage of various agricultural machinery. The appeal proposal would see the conversion of the building to a 5 bedroom dwelling. Vehicular access to serve the dwelling is proposed via the existing driveway from High Street between Elm Cottage and The Elms.
13. The appeal site is located within Tilshead Conservation Area (CA). The significance of the CA is derived from the age and architectural interest of the many historic buildings within the village, set within the surrounding rural landscape. The historic buildings are interspersed with modern residential properties which form later additions. Built form in the village is generally arranged along the main roads that run through the settlement, with spurs off them, where small groups of residential properties form cul-de-sacs.
14. By virtue of its position, set back from the highway to the rear of Elm Cottage and its mature garden, and external materials which are recessive in nature, the existing building does not appear as an unduly visually dominant or anomalous feature in views along High Street. Moreover, notwithstanding its age, and despite its overall scale and utilitarian appearance, the appeal building, in terms of its design and materials, nonetheless reflects the evolution of the area, in particular the agricultural activity historically associated with the adjoining countryside. As such, the appeal site, including the existing building, makes a positive contribution to the significance of the CA.
15. The appeal proposal would give rise to a degree of domestication of the site, including residential paraphernalia and parked vehicles, however any effects in that regard would be limited given the scale of the development for a single dwelling. While the site is visible from localised vantage points, including from the neighbouring properties, in the glimpsed views of the building available from High Street, the proposed alterations to the building, would not be readily perceptible, nor would the associated use of land. Moreover, the conversion would largely retain the existing form of the building, and the use of external materials, including corrugated metal cladding to the walls, would reflect the agricultural origin of the building. In that regard it would not detract from the character and appearance of the building, or undermine the contribution it makes to the significance of the CA.
16. The Council contend that, when a building such as the appeal building no longer serves its original purpose, it becomes a vacant eyesore and that its retention would not benefit the CA. However, the building is nevertheless part of the present character and appearance of the area. The contribution it makes to the CA does not diminish upon the cessation of its original use, but rather its retention and sensitive conversion would contribute to an understanding of the evolution of the area.
17. For these reasons the proposal would preserve the character and appearance of the CA. Accordingly, it would not conflict with the aims of Core Policies 57 and 58

of the WCS which seek development of a high standard of design, which enhances local distinctiveness and protects, conserves and where possible enhances the historic environment.

Setting of listed buildings

18. The site lies close to Elm Cottage and The Elms, both grade II listed buildings. The significance of Elm Cottage is informed by its architectural and historic interest as a building dating back to the early 17th century. It is constructed of red brick and timber-frame with a thatched roof and occupies a prominent position on High Street. The Heritage Statement¹ (HS) submitted as part of the planning application sets out that, even if Elm Cottage was not originally associated with the original farmstead at the appeal site, the presence of agricultural buildings to the rear is an established part of the setting of the listed building. Thus, despite the appeal building being of modern construction, it nonetheless conveys an understanding of the historical agricultural function of the site, and this historic link contributes to a minor degree, to the significance of Elm Cottage. From my observations on site, I have no reason to reach a different conclusion with the HS in that regard.
19. In the views towards Elm Cottage in which the agricultural building would be seen, the building would largely retain its existing functional form and appearance. Consequently, the proposal would preserve the setting of the listed building and would not harm its significance as a designated heritage asset.
20. The primary special interest of The Elms is derived from its early origins in the 17th century, later refaced in the 19th century, and architectural execution. The HS indicates that, while it was probably a farmhouse, it was not thought to have been associated with the appeal site, I have not been presented with any compelling evidence to indicate otherwise. Given the lack of a historical or functional link between the listed building and the appeal site, together with the limited intervisibility, the site does not therefore contribute to the significance of The Elms. Accordingly, the proposed development would not affect the setting of this listed building.
21. In light of the foregoing considerations, I therefore conclude that the proposed development would preserve the setting of nearby listed buildings. In that regard it would accord with the high quality design aims of Core Policy 57 of the WCS and Policy 58 of the WCS, which requires development to be a high quality design which protects, conserves and where possible enhances the historic environment.

Other Matters

22. The proposal would offer benefits in terms of housing supply, which is a key objective of the National Planning Policy Framework (the Framework), which seeks to significantly boost the supply of housing. There would also be benefits in terms of increased biodiversity. However, any benefit in that regard would be limited given the scale of the proposal for a single dwelling and the overall extent of the site.
23. High standards of design and materials, including energy efficiency measures, highway safety, and flooding, are normal expectations of new development. As

¹ Heritage Statement by Forum Heritage Services, revised February 2024

such, they are therefore of neutral weight in my assessment rather than benefits to which I attach positive weight.

24. The Council indicate that it is unable to demonstrate an adequate supply of housing land and that being the case, para 11 d) of the Framework falls to be considered. However, the harm to the SAC I have identified means that there are policies in the Framework that provide a clear reason for refusing the development. Therefore, under paragraph 11 d) i) of the Framework, the proposal does not benefit from the presumption in favour of sustainable development.
25. The absence of objection from interested parties, would itself not render the scheme acceptable. I note the appellant's frustration with the way in which the Council dealt with the planning application, however, that is not a matter for the determination of this appeal, which I have determined on the merits of the case.

Conclusion

26. The proposal would conflict with the development plan, read as a whole. Material considerations have not been shown to carry sufficient weight to indicate that a decision should be taken otherwise than in accordance with it. I therefore conclude that the appeal should be dismissed.

E Worley

INSPECTOR