
Appeal Decision

Site visit made on 11 November 2025

by **D R Kay BA Dip.Arch RIBA**

an Inspector appointed by the Secretary of State

Decision date: 19 December 2025

Appeal Ref: APP/Y3940/W/25/3371642

Blacksmiths Yard, Forge Lee, Post Office Lane, Broad Hinton, Wiltshire SN4 9PB

- 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 and Mrs C Drewett against the decision of Wiltshire Council.
 - The application Ref is PL/2025/01792.
 - The development is the use of office and storage ancillary to Forge Lee as ancillary single residential annexe. Consent for recent associated changes to the building.
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Decision

1. The appeal is allowed and planning permission is granted for the use of office and storage ancillary to Forge Lee as ancillary single residential annexe. Consent for recent associated changes to the building at Blacksmiths Yard, Forge Lee, Broad Hinton, Wiltshire SN4 9PB in accordance with the terms of the application, Ref PL/2025/01792, subject to the conditions in the attached schedule.

Preliminary Matters

2. The description of development on the application form refers to 'Retrospective' consent. However, as the term 'retrospective' is not a description of development, I have omitted it from the description in the header.
3. From my visit it was apparent the development for the conversion of the former forge building to form residential annexe accommodation ancillary to the main dwelling had been carried out. Therefore, the application is submitted retrospectively for development already enacted, and I have determined the appeal on that basis.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the surrounding area.

Reasons

5. The appeal site is located towards the eastern end of Post Office Lane around 70m from its junction with the A4361. The site houses a substantial two-storey residential dwelling to the rear, with a former commercial use building to the front of the site, close to the highway, the appeal site's parking area being located alongside. The building to the front of the site, a former blacksmiths forge, consists of a traditional single storey rendered building under a steeply pitched and tiled roof, with an attached section of two-storey building in a more industrial style to its side. The forge building is sited at the level of the road, and set back from the edge

of the highway, by between 2m and 5m. The land gently slopes up into the site from the level of the road.

6. Post Office Lane is characterised by dwellings which are a mix of ages and architectural styles, consisting of single and two-storey dwellings, set well back from the highway behind mature hedges and with grass verges and mature trees. Properties on the same side of the highway as the appeal site are generally situated in a slightly elevated position, whilst the properties on the opposite side of the highway to the appeal site, are situated in a much more elevated position. The character of the area is one of an established, green rural village.
7. From the evidence submitted, the former forge building on the appeal site has been an established part of this section of the village for many years. The building has consisted of the original pitched roof forge building with a visually taller attached building of a more industrial aesthetic for decades. The property has a long-established identity as a commercial use, having functioned as the forge, a vehicle garage with petrol pumps and latterly as a machine parts business, and its aesthetic has reflected this use.
8. The appeal development has retained the original forge building, the change of use having little visual change to this section of the building. The adjacent more industrial building has been re-built with a shallow pitched roof, whose eaves sits around 300mm higher than, but on the line of, the ridge of the forge building. The industrial aesthetic has been maintained, the industrial door to the roadside elevation having been replaced, to provide access to the garage and storage area. The material of the road facing elevation has been changed, the previous mix of painted concrete blockwork and aluminium cladding, being replaced by a natural timber cladding. The industrial aesthetic has therefore been maintained but expressed in a softer material palette, which I find bridges its past and future uses.
9. Whilst the height of the development has increased above that which previously existed, this is by only a small amount. The re-built section of building is not significantly higher than the forge section of the building, such that it would become incongruous in the street scene. The views of the development, looking either from the east or the west along Post Office Lane, have changed very little, the principal difference being the eaves of the re-built section sitting just above the ridge of the former forge section.
10. As a result of the buildings siting relative to the edge of the highway, together with the surrounding topography of high hedges, mature trees and other built form, I find the appeal development does not form an incongruous or overbearing form of development, nor do I find that it would be visually prominent in the street scene, over and above the way that the building has been experienced by local residents, from the public realm, for many years.
11. For the above reasons, I find that the appeal development would not harm the character and appearance of the surrounding area. It therefore follows that I find the development would accord with Policy 57 of the Wiltshire Core Strategy 2015 (the Local Plan) which requires, among other things, that development provides a high standard of design to create a strong sense of place through drawing on the local context and being complimentary to the locality.

Other Matters

12. I note the submission from a local resident raising concerns over noise during development and expressing concern over the first-floor window to the rear regarding overlooking and light nuisance. Construction works are for a temporary period and therefore their effects can only be given limited weight in applications and appeals.
13. Having examined the relationship between the appeal development and the property alongside, due to the relative ground levels between properties, the first-floor level of the appeal development is only marginally above the ground level of the adjacent property. Its rear elevation is also set well back behind the rear elevation of the adjacent property. There is a head height, solid timber panel fence to the boundary between the properties. As a result, I find that the rear window of the appeal development would not affect the privacy of the neighbouring property or its garden. Similarly, there did not appear to be windows in the neighbouring property's gable, facing the appeal development. I therefore find that the potential for light nuisance is limited.
14. The appeal site is located within the north-western corner of the North Wessex Downs National Landscape (NL), an area characterised by its open arable sweeps of chalk downs, its dramatic scarp slopes, chalk river valleys, intimate secluded wooded areas and low-lying heaths.
15. Section 245 of the Levelling-up and Regeneration Act 2023 (LURA) amended the duty placed on relevant authorities required by the Countryside and Right of Way Act 2000 (CRoW Act), requiring decision makers to 'seek to further' the statutory purposes of protected landscapes, of which the NL is one. It requires, as far as is reasonably practical, relevant authorities to seek to avoid harm and to contribute to the conservation and enhancement of the natural beauty, special qualities and key characteristics of Protected Landscapes.
16. This is reflected in the National Planning Policy Framework (the Framework), paragraph 189 of which requires 'Great Weight' to be given to conserving and enhancing landscape and scenic beauty in National Landscapes (NL), which have the highest status of protection in relation to these issues.
17. However, due to the location of the appeal development at the eastern end of the village, within a significant group of other residential dwellings with woodland and hedges to their periphery, which screens the appeal development from wider landscape views, I judge the appeal development would not have a detrimental effect on the scenic beauty of the wider NL.

Conditions

18. I have had regard to the 3 conditions suggested by the Council and the comments provided by the appellant. Where necessary I have amended the wording, in the interests of precision and clarity, and to comply with the advice in the Planning Practice Guidance and the Framework.
19. In the interests of certainty, I have attached a condition specifying the approved plans. A condition is also necessary to ensure that use of the residential annexe is controlled to being ancillary to the main dwelling.

20. The appellant had submitted further drawings to suggest an amendment to the detail of the junction of the eaves of the re-built section of the appeal development with the ridge of the former forge. The Council has suggested a condition referencing this drawing and requiring the submission of amended details for this junction for their written approval. However, having examined the appeal development at my visit, I find that the relationship between the eaves of the re-built section of building and the ridge of the former forge section of building, is not as identified on the submitted drawing. I have, therefore, amended the suggested condition to require the submission of accurate drawings indicating the correct relationship as it exists on site, together with proposals for amendment of the detail to allow the reinstatement of a continuous line of ridge tiles to be expressed, to the full length of the ridge of the former forge section of the building.
21. Condition 3 is therefore imposed to ensure that the required details are submitted, approved and implemented, so as to make the development acceptable in planning terms. There is a strict timetable for compliance because permission is being granted retrospectively, and it is not possible to use a negatively worded condition to secure the approval and implementation of the amended ridge detail before the development takes place. The condition will ensure that the development can be enforced against if the requirements are not met.

Conclusion

22. For the reasons set out above, I conclude that the appeal proposal would accord with the development plan, read as a whole, and that there are no material considerations, including policies in the Framework, that would justify determining other than in accordance with it. Therefore, the appeal is allowed.

D R Kay

INSPECTOR

Schedule of Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following Approved Plans: 00480-00 Rev A – Location & Block Plan (As-Built), 00480-01 Rev B - Plans & Elevations (As-Built).
- 2 The development hereby permitted to the detached former blacksmiths forge building, which now forms residential annexe living accommodation, shall not be used, let or sold at any time as a separate unit of living accommodation. It shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Forge Lee, Post Office Lane, Broad Hinton, Wiltshire SN4 9PB, and it shall remain within the same planning unit as the main dwelling.
- 3 Notwithstanding the additional drawings submitted during the appeal (Dwg.No.11163 [S] – 4 & Dwg.No.11163 [S] – 5), unless within 3 months of the date of this decision a scheme for accurate details of the proposed 'Ridge Amendments', including accurate elevations of all facades, a roof plan and constructional section details, which reflect the correct dimensional relationship between the slope of the adjoining roof with the ridge of the former forge, and which allow for the reinstatement of a continuous line of ridge tiles to the former forge section of the building, is submitted in writing to the local planning authority for approval, and unless the approved scheme is implemented within 6 months of the local planning authority's approval, the use of the site shall cease and all equipment and materials brought onto the land for the purposes of such use shall be removed until such time as a scheme is approved and implemented.
 - a. If no scheme in accordance with this condition is approved within 6 months of the date of this decision, the use of the site shall cease, and all equipment and materials brought onto the land for the purposes of such use shall be removed until such time as a scheme approved by the local planning authority is implemented.
 - b. Upon implementation of the approved ridge amendment details specified in this condition, the amended ridge detail shall thereafter be retained in use.
 - c. In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined.

***** End of Schedule*****