

<b>Date of Meeting</b>	07 January 2021
<b>Application Number</b>	20/09147/FUL
<b>Site Address</b>	Upper Farm, Wexcombe, Marlborough SN8 3SQ
<b>Proposal</b>	Conversion of existing agricultural building into a C3 residential dwelling, together with associated residential curtilage, parking and landscaping, including the demolition and removal of two existing open sided barns within the site (resubmission of 20/02786/FUL)
<b>Applicant</b>	Greatworth Property Managers Ltd
<b>Town/Parish Council</b>	GRAFTON
<b>Electoral Division</b>	Councillor Stuart Wheeler - Burbage and The Bedwyns
<b>Grid Ref</b>	427243 159039
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Morgan Jones

### Reason for the application being considered by Committee

In accordance with the Council's 'Scheme of Delegation Specific to Planning', this application is brought to committee at the request of Councillor Stuart Wheeler on the grounds of: - 'Scale of development', 'Visual impact upon the surrounding area', 'Design – bulk, height, general appearance', and 'suitable adaption of disused farm buildings'.

### 1. Purpose of Report

To assess the merits of the proposal against the policies of the development plan and other material planning considerations and to consider the recommendation to refuse planning permission.

### 2. Report Summary

The key issues for consideration are:

- Principle of Development;
- Impact on Landscape Character
- Access, Infrastructure & Local Services
- Impact on Heritage Assets
- Environmental Impact
- Ecological Impact
- Impact on Neighbour Amenity

### 3. Site Description

The application site relates to a range of purpose-built agricultural buildings at Upper Farm Yard and the former Church building next to/associated with Wexcombe House. The site is accessed directly from a lane leading westward to Fair Mile.

Upper Farm is one of two large historic farmsteads within the hamlet of Wexcombe. Both farms, Upper and Lower Farms, are in the same ownership, although the Grade II listed farmhouse at Upper Farm is in separate ownership and detached from the farming enterprise which is run from Lower Farm where the working buildings of the holding are located.



The site is surrounded on 3 sides by open agricultural fields, with Wexcombe House bordering the site to the east. The site and its surroundings lie within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). Footpath GRAF20 runs approximately 140 metres to the south of the site between Chapel Cottage and Fair Mile.

#### 4. Planning History

- Planning application 20/02786/FUL: Conversion of existing agricultural building and former chapel into a C3 residential dwelling, together with associated residential curtilage, parking and landscaping and the demolition and removal of two existing open sided barns within the site – Upper Farm, Wexcombe – Withdrawn 05.06.20.
- Planning application 17/02474/FUL: Demolition of agricultural buildings & erection of dwellinghouse with conversion and extension of former chapel to form ancillary residential accommodation & change of use of agricultural land to residential – Upper Farm, Wexcombe – Withdrawn 27.04.17.
- Planning application 16/10264/FUL: Demolition of agricultural buildings. Erection of dwellinghouse and cartshed. Conversion and extension of former chapel to form ancillary residential accommodation. Change of use of agricultural land to residential – Upper Farm, Wexcombe – Withdrawn 14.12.16.
- Planning application 16/02039/FUL: Demolition of agricultural buildings. Conversion and extension of former chapel to form single dwellinghouse with detached garage. Erection of dwellinghouse. Change of use of agricultural land to residential curtilage – Upper Farm, Wexcombe – Withdrawn 02.06.16

## 5. The Proposal

The application seeks full planning permission for the “conversion of existing agricultural building into a C3 residential dwelling, together with associated residential curtilage, parking and landscaping, including the demolition and removal of two existing open sided barns within the site (resubmission of 20/02786/FUL)”.

The Planning, Design & Access Statement (PDAS) explains that the building proposed for conversion is a steel-framed building with high eaves levels. There are large openings in both gables. The ground floor is comprised of concrete with a tampered finish. The proposed conversion will see the removal of 1 bay of the large barn (approx. 25% of the existing structure) along its south-eastern elevation, creating a gap between the converted barn at Wexcombe Manor. “The proposal will retain the existing corrugated metal and blockwork elevations which will be clad with greyed timber weatherboarding. The metal roof will be retained and insulated.” The scheme proposes the insertion of new windows, glazing and doors with aluminium frames” (par 4.4). The proposed dwelling will comprise four bedrooms at first floor level.

The former proposal to convert the Chapel into a residential use has been removed from this current planning application, as a result of the amount of rebuilding work required. It is explained that only basic repair works will be carried out to make the application building structurally sound, but no further works to convert it to a residential use will take place.

The dilapidated open-sided agricultural buildings will be demolished, and the use of the land changed to residential to form part of the curtilage of the proposed dwelling. A detached three-bay garage is proposed to be erected to serve the property.



*Proposed Site Plan*

The application is supported by existing and proposed plans and the following document: -

- Document. **Planning, Design and Access Statement** (October 2020) prepared by Pro Vision;
- Document. **Heritage Statement** (October 2020) prepared by Pro Vision;
- Document. **Transport Statement (October 2020)** prepared by IMA Transport and Planning Ref. No. IMA-19-234;
- Document. **Preliminary Ecological Appraisal** (March 2020) prepared by Pro Vision Ecology Ref. No. 7669 Version 02 June 2020;
- Document. **Ecological Assessment** (October 2020) prepared by Pro Vision Ecology Ref. No. 7669 Version 01 March 2020;
- Document. **Structural Condition Reports** prepared by WFBA:- North Barn and Former Chapel Building Ref No. 20004 Rev C (16.07.20);
- Document. **Landscape and Visual Impact Statement** prepared by Clark Landscape Design March 2020 – Revised July 2020;
- Document. **Viability Report (September 2020)** by John J Read BSC MSC MRICS;
- Document. **Tree Survey and Arboricultural Impact Assessment** (October 2020 V.3 / Ref. No. 19/12/237/NH) prepared by Hellis Solutions Limited.

## 6. Planning Policy

The **National Planning Policy Framework (NPPF)** with particular regard to Chapters 4 'Decision-Making', 5 'Delivering a Sufficient Supply of Homes', 8 'Promoting Healthy and Safe Communities', 9 'Promoting Sustainable Transport', 12 'Achieving Well-Designed Places', 15 'Conserving & Enhancing the Natural Environment' and '16 'Conserving & Enhancing the Historic Environment'.

The adopted **Wiltshire Core Strategy**, in particular:

- Core Policy 1 'Settlement Strategy';
- Core Policy 2 'Delivery Strategy'
- Core Policy 18 'Pewsey Community Area'
- Core Policy 41 'Sustainable Construction and Low Carbon Energy'
- Core Policy 44 'Rural Exceptions Sites'
- Core Policy 48 'Supporting Rural Life'
- Core Policy 50 'Biodiversity and Geodiversity'
- Core Policy 51 'Landscape'
- Core Policy 56 'Land Contamination'
- Core Policy 57 'Ensuring High Quality Design and Place Shaping'
- Core Policy 58 'Ensuring the Conservation of the Historic Environment'
- Core Policy 60 'Sustainable Transport'
- Core Policy 61 'Transport and Development'
- Core Policy 67 'Flood Risk'.

Wiltshire Local Transport Plan 2011 – 2016: **Car Parking Strategy** (March 2011).

### **The North Wessex Downs Area of Outstanding Natural Beauty Management Plan**

**The Kennet Landscape Conservation Strategy Supplementary Planning Guidance** (May 2005) provides detailed information of the landscape enhancement priorities for each of the different character areas in the former Kennet District Council Area. There are eleven different character areas as identified by the **Landscape Character Assessment** (1999).

## 7. Consultations

**AONB Planning Advisor** – No observations.

**Wiltshire Council Landscape Officer** – No objection, subject to conditions to secure amendments to, and full details of, the landscape design scheme.

**Wiltshire Council Ecologist** – No observations.

**Wiltshire Council Environmental Health Officer** – No observations.

**Wiltshire Council Conservation Officer** – No objection.

**Wiltshire Council Highways Officer** – No objection.

**Wiltshire Council Arboricultural Officer** – No objection subject to a condition to ensure the protection of trees to be retained.

**Grafton Parish Council** – Support.

## 8. Publicity

The application has been publicised via a site notice and letters sent to properties within close proximity of the site. As a result of the publicity two letters of support and three letters of objection have been received on the following grounds:

### Support:-

- The scheme will utilise the format of the redundant workshop and create an innovative and low impact dwelling which would soften the environs and greatly increasing the aesthetic appeal for people entering into the village;
- The scheme will also enhance the landscape by removing two dilapidated buildings and secure ecological enhancements.

### Objection:-

- The change of use of the barn site to residential may lead to further development at the site or a change to the permitted scheme by future applications;
- The existing field access remains within the site and will have no purpose;
- The proposal has the potential to impact the very special and unique area of the AONB visible from public rights of way, so the development needs to be contained along with lighting;
- There should be new landscaping around the perimeter of the site to protect the visual amenity of the occupiers of the properties to the south-east and users of public rights of way;
- The existing building is made of asbestos. The gutters and down pipes, roof and sides are all made of this material. Only the bottom section is not. Any alterations or removal needs adequate safety measures in place.
- The open sheds are not actually barns, so should not be classified as such;
- The Structural Report is not sufficient to prove whether the building is sound as the disclaimers remove any and all liability for accuracy, as well as declaring that it was only a superficial viewing from the ground;
- The Opinion Letter seems to be threatening the Unitary Council perhaps to frighten them off from refusing permission which we find unacceptable;
- This application cannot be described as a 'conversion' – it is a rebuild;
- There really is little reuse of the existing building, as required by the policy,
- The plans on which the valuation has been made are incorrect as they are based on the previous scheme, the valuation lacks evidence to justify the inputs, and fails to consider alternative tourism options for the building;

- The local water system has to be sorted out and upgraded to reflect the additional demand;
- The proposal will cause light to spill out to the rest of the village and wider landscape to the detriment of the dark skies of the AONB;
- The agent's covering letter contains inaccuracies and the application has not addressed previous concerns;
- The Heritage Statement lacks detail and credibility;
- The building design is very modern and out of keeping with the rest of the village;
- The design is not in keeping with the rest of the village at all or in its setting;
- The Transport Statement is based on theoretical rather than actual vehicular movements.

## 9. Planning Considerations

### 9.1 Principle of Development

The relevant local development plan document is the Wiltshire Core Strategy (WCS) (adopted January 2015). In accordance with the aims and objectives of the NPPF and in the interests of promoting sustainable development and the protection of the countryside the policies of the plan seek to restrict all new residential development to locations within the Limits of Development defined for the towns and villages.

Core Policy 1 'Settlement Strategy' of the WCS outlines a settlement strategy which identifies the settlements where sustainable development will take place to improve the lives of all those who live and work in Wiltshire. Core Policy 2 'Delivery Strategy' of the WCS outlines that there is a presumption in favour of sustainable development at the Principal Settlements, Market Towns, Local Service Centres and Large Villages and development should be restricted to within the limits of development other than in exceptional circumstances (in circumstances as permitted by other policies within this plan, identified in paragraph 4.25).

The site lies within the settlement of Wexcombe, which falls within the Pewsey Community Area, however the settlement is not identified for any type of growth by the settlement strategy (set by Core Policy 18 'Spatial Strategy: Pewsey Community Area'). Therefore, for the purposes of assessing the planning merits of the proposal the site falls within the 'open countryside'.

Core Policy 2 states that development outside of the limits of development will only be permitted where it has been identified through community-led planning policy documents including neighbourhood plans, or a subsequent development plan document which identifies specific sites for development. Development proposals which do not accord to Core Policy 2 are deemed unsustainable and as such will only be permitted in exceptional circumstances under the exception policies of the WCS.

The principle of new residential development can therefore only be considered under the WCS exception policies. Core Policy 48 'Supporting Rural Life' is an exception policy and this application seeks to benefit from the policy which specifies: -

***"Proposals to convert and re-use rural buildings for employment, tourism, cultural and community uses will be supported where it satisfies the following criteria:***

- i) the building(s) is/are structurally sound and capable of conversion without major rebuilding, and with only necessary extension or modification which preserves the character of the original building; and***

- ii) ***the use would not detract from the character or appearance of the landscape or settlement and would not be detrimental to the amenities of residential areas; and***
- iii) ***the building can be served by adequate access and infrastructure; and***
- iv) ***the site has reasonable access to local services; or***
- v) ***the conversion or reuse of a heritage asset would lead to its viable long term safeguarding.***

***Where there is clear evidence that the above uses are not practical propositions, residential development may be appropriate where it meets the above criteria. In isolated locations, the re-use of redundant or disused buildings for residential purposes may be permitted where justified by special circumstances, in line with national policy”.***

‘Conversion’ of the Agricultural Building

Core Policy 48 criteria ‘i’ - *the building(s) is/are structurally sound and capable of conversion without major rebuilding, and with only necessary extension or modification which preserves the character of the original building;*

It is considered that, based on the information submitted, the proposal would conflict with the requirements of Core Policy 48, in particular criteria ‘i’. The intention of the policy is to enable the conversion of traditional rural buildings which are structurally sound and capable of conversion without major rebuilding. The supporting text does not provide a definition of what constitutes a ‘conversion’, but appeal case law has sought to define what is considered to be a ‘conversion’ as opposed to a ‘re-build’ or ‘new-build’.

The most pertinent recent appeal case is a High Court judgement in *Hibbitt and another v Secretary of State for Communities and Local Government (1) and Rushcliffe Borough Council (2)* [2016] EWHC 2853 (Admin) (hereafter referred to as the *Hibbitt judgement*). The case was in relation to the conversion of buildings under ‘permitted development rights’ but the principles set out within the judgement can be applied to any conversion proposal. The permitted development rights themselves allow greater scope for ‘conversions’ which would traditionally not be considered under Core Policy 48 but the national legislation and Planning Policy Guidance in this area is considered to merit weight in the consideration of this current application for full planning permission. The Planning Practice Guidance advises the following works should be permitted when considering a ‘conversion’ proposal under permitted development rights:

***“... the right assumes that the agricultural building is capable of functioning as a dwelling. The right permits building operations which are reasonably necessary to convert the building, which may include those which would affect the external appearance of the building and would otherwise require planning permission. This includes the installation or replacement of windows, doors, roofs, exterior walls, water, drainage, electricity, gas or other services to the extent reasonably necessary for the building to function as a dwelling house; and partial demolition to the extent reasonably necessary to carry out these building operations. It is not the intention of the permitted development right to allow rebuilding work which would go beyond what is reasonably necessary for the conversion of the building to residential use. Therefore it is only where the existing building is already suitable for conversion to residential use that the building would be considered to have the permitted development right”*** (Paragraph: 105 Reference ID: 13-105-20180615).

In terms of the *Hibbitt judgement*, it focused on the meaning of the word ‘conversion’ because the essence of the dispute revolved around whether the proposed "conversion" amounted to a "rebuild". The judgement clarifies that the concept of ‘conversion’ must be understood in its

specific planning context, and “It is not a term that can be plucked without more directly from a dictionary” (par 28).

The Hibbitt judgement clarified that the concept of conversion has inherent limits which delineate it from a rebuild:

*“... a conversion is conceptually different to a "rebuild" with (at the risk of being over simplistic) the latter starting where the former finishes. Mr Campbell, for the Claimant, accepted that there was, as the Inspector found, a logical distinction between a conversion and a rebuild. As such he acknowledged that since Class Q referred to the concept of a conversion then it necessarily excluded rebuilds. To overcome this Mr Campbell argued that a "rebuild" was limited to the development that occurred following a demolition and that it therefore did not apply to the present case which did not involve total demolition. **In my view whilst I accept that a development following a demolition is a rebuild, I do not accept that this is where the divide lies. In my view it is a matter of legitimate planning judgment as to where the line is drawn. The test is one of substance, and not form based upon a supposed but ultimately artificial clear bright line drawn at the point of demolition.** And nor is it inherent in "agricultural building". There will be numerous instances where the starting point (the "agricultural building") might be so skeletal and minimalist that the works needed to alter the use to a dwelling would be of such magnitude that in practical reality what is being undertaken is a rebuild. In fact a more apt term than "rebuild", which also encapsulates what the Inspector had in mind, might be "fresh build" since rebuild seems to assume that the existing building is being "re" built in some way. In any event the nub of the point being made by the Inspector, in my view correctly, was that **the works went a very long way beyond what might sensibly or reasonably be described as a conversion. The development was in all practical terms starting afresh, with only a modest amount of help from the original agricultural building**” (par 27).*

The key principle to take from the Hibbitt judgement and apply to a ‘conversion’ proposal under Core Policy 48 is the requirement to establish where the line is drawn between a ‘conversion’ and ‘re-build’. The works have to be reasonably necessary for the conversion of the building to residential use and not significant work that result in major rebuilding which would fall outside the scope of Core Policy 48 and ultimately the classification of a ‘conversion’. This is a key point because if the development does not amount to a ‘conversion’ then it cannot be considered under the exception policy and the ‘re-build’ should be considered under the settlement strategy of the local development plan, as detailed above, which does not lend support to the provision of a new build dwelling on the application site. It is worth highlighting that this assessment relies on planning judgement and it is recognised that the view of the applicant’s representatives is that the proposal should be classed as a ‘conversion’.

Turning to the proposed development itself, the application building is a large modern simple steel portal frame construction with low breeze block walls and corrugated fibre cement sheeting. The former Chapel has suffered significant damage and is partially collapsed.

The PDAS asserts that “the barn is structurally sound and capable of conversion, with only necessary modification required to achieve the proposed residential use. The proposal to clad the external of the building will enhance the visual appearance of the building whilst preserving its original character” (par 6.33). This assessment is based on the Structural Condition Report (January 2020 / Rev C 16.07.20) by WFBA Consulting Civil & Structural Engineers. However, the report clarifies that it provides “a written record of a visual structural inspection carried out by WFBA and is not a fully detailed structural survey” (p 2). The report is intended to advise of the suitability of the barn for conversion into residential use. It is not a detailed structural survey and does not provide any details of the works required to convert the buildings into residential use.



The Structural Condition Report describes the key features of the application building (the North Barn): -

“Roof:

- *The roof to the main building is a double pitched steel-framed roof with sheeting laid down the roof slope supported by steel angle purlins. The Roof lights are transparent sheets laid into the main panels.*
- *The central bay roof structure is a series of steel angle trusses spanning across the bay onto the main structural columns. The two outer bay roofs are supported by steel rafters spanning between the main internal and external structural columns.*

Walls

- *The external walls are generally blockwork to eaves level. Above eaves on both gables the walls have been formed using sheeting supported by horizontal steel work.*
- *There are large openings in both gable end allowing access for large vehicles.*
- *The walls to the north-west elevation and parts of the north-east and south-west elevations are below ground level and appear to be acting as retaining walls*

Floor

- *The ground floor is an in-situ concrete ground floor with a basic tamped finish.”*

The Structural Condition Report then provides the following recommendations: -

*“There are minor areas of rust on the frame which is not surprising for the building’s use and partially exposed nature. There are also areas of damp penetration, particularly where the walls are acting as retaining walls and directly in contact with the external ground. The Barn building is generally in good condition. The frame will likely require a good clean and re-paint to deal with minor corrosion issues and the external wall damp issues will need to be dealt with.*

*Subject to the above and with the structure generally being in good condition, we consider The Barn is capable of being converted to residential use.” (p 6).*

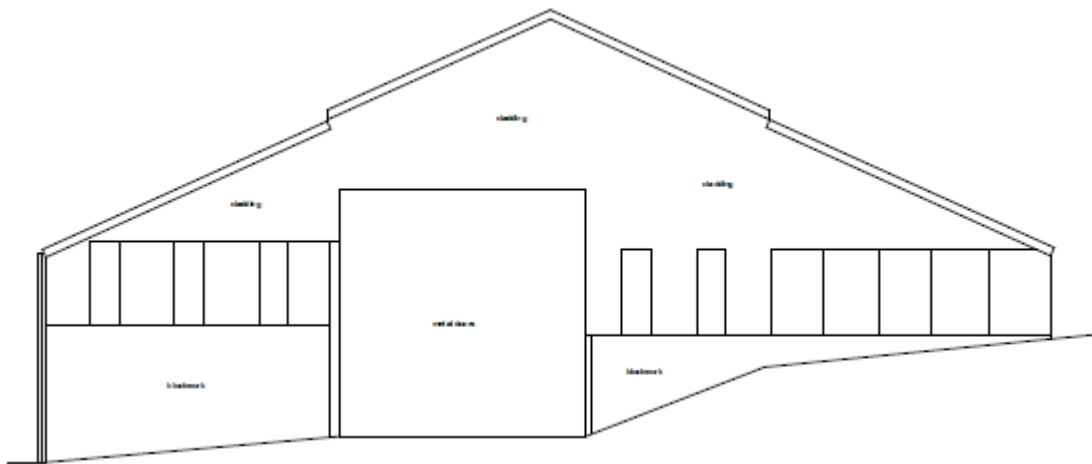
Whilst the Structural Condition Report says the application building is capable of being converted to residential use it does not take account of the actual proposal or detail the works required to convert the building into residential use. The report is not a full structural survey, so it is unclear whether the steel portal frame structure is capable of accommodating the additional loads to achieve the proposed residential use i.e. the addition of a first floor, new external cladding, internal insulation, aluminium openings etc. The only details of the actual works are shown on the application plans and described within the PDAS, along with information that can be gained from the Cost Estimate by J W Pillinger Limited (September 2020 / Rev A) for converting the building within Appendix D of the Viability Report.

The PDAS explains that the building condition report confirms that the large barn is of a viable condition, capable of conversion and refurbishment with little structural work required. “The main structural elements of the framework, floor and roof of the barn are all of a nature that can be re-used to form the new dwelling” (par 6.29). Furthermore, “The corrugated metal roof will be retained, treated and insulated. The corrugated metal elevations will be retained and treated. It will be clad with timber weatherboarding” (par 6.31).

It would be reasonable to conclude based on the comments within the PDAS that the building would be ‘converted’ but the application plans present a very different proposal and they are not supported by a detailed written schedule of works or structural calculations. The

information within the Viability Report conflicts with the description within the PDAS and describes a scheme that more closely aligns with the one shown on the application plans. The application plans indicate that:

- The north-east (front / roadside) elevation involves blocking up all existing openings and introducing new openings;
- The north-west (drive side) elevation involves blocking up all existing openings and introducing new openings;
- The south-west elevation clearly involves the rebuilding of the entire wall and the introduction of large new openings (set back balcony at first floor level)
- The south-east side will all be new (due to removal of single storey bay).
- The plans show a new metal profile roof with new rooflights.



*Existing North-East Elevation*



*Proposed North-East Elevation*

The extent of works shown on the plans does not suggest that the “corrugated metal elevations will be retained and treated”. It is reasonable to assume that the majority of the walls will have to be taken down and re-built to achieve the design of the proposed dwelling and a new roof installed, which is shown to be higher than the existing due to the new material / insulation. The proposed floor plans actually show a single solid wall structure around the building with new openings, and the elevations even show a brick plinth.

The interpretation of the scheme presented on the proposed plans does not tally up with the limited description of the works presented within the PDAS. The plans suggest that the layout is arranged around the main steel portal frame but there is limited information on the application plans. It appears that there will be a significant amount of re-building works required to achieve the proposed dwelling, along with new structural elements. The section plans show new steel trusses and supports. There are no details of the work required to repair or secure the steel frame, or work to the walls which currently act as retaining walls and have areas of damp penetration.



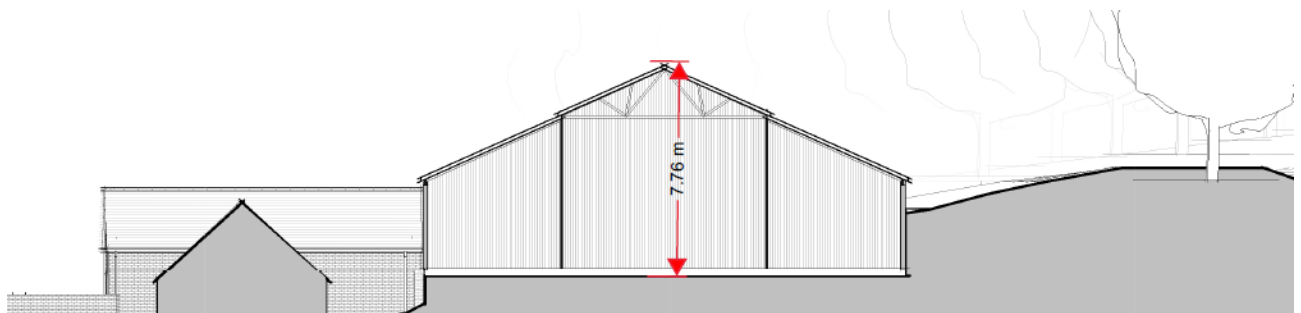
*Existing & Proposed Ground Floor Plans*

The above assessment is supported by the list of external works included within the Cost Estimate by J W Pillinger Limited (September 2020 / Rev A) which is as follows:

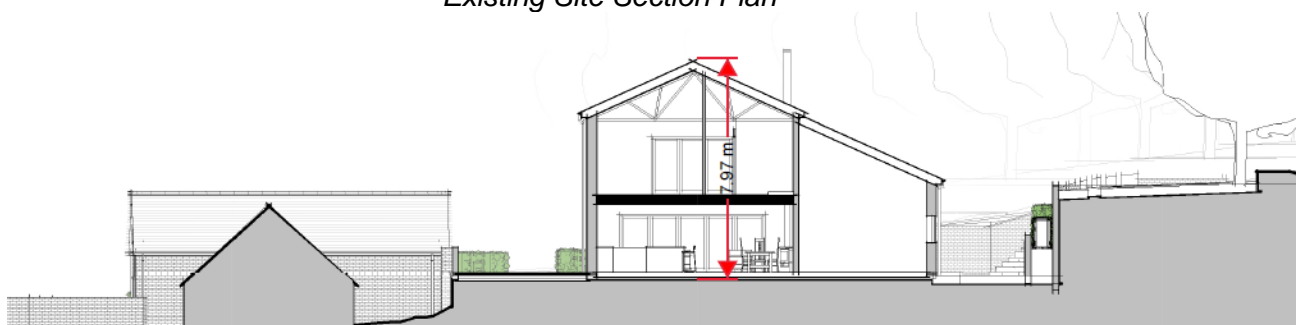
- a) *“Removal of an existing lean-to the south-west side of the barn*
- b) *Removal of one bay from the main structure of the existing barn*
- c) *Removal of existing corrugated steel cladding and roofing*
- d) *Making good and the repair of the existing steel frame; frame grit blasted and finished with protective painting and fireproofing*
- e) *New steel frame complete with fireproofing and a new concrete floor for proposed first floor accommodation*
- f) *Retaining and repair existing single skin of blockwork to three sides of the barn*

- g) New foundations and blockwork to provide external cavity walls as required complete with cavity insulation
- h) Clean and repair existing floor slab and provide new reinforced concrete topping with provision for a damp proof membrane and slab insulation
- i) Replacement composite insulated metal roof sheeting to existing frame
- j) Provision of roof lights for first floor bathrooms and over main entrance”

The works described above clarify that following the demolition works (i.e. lean-to on the south-west side and one bay of the main barn) and the removal of the existing corrugated steel cladding and roofing, the only element of the building that would remain is the steel frame. It is noted that the list says the single skin blockwork walls would be retained but this is not shown on the application plans. The starting point for the ‘conversion’ would be a bare steel frame which would be repaired / treated. The development would then involve a new floor and foundations to support new cavity walls with openings, and new composite insulated metal roof sheeting to the existing frame.



*Existing Site Section Plan*



*Proposed Site Section Plan*

The building is not considered capable of functioning as a dwelling in its current guise without the provision of new structural elements including new external walls and openings, internal partition walls, ceilings, insulation etc, including a new roof and structural elements to accommodate a first floor. It appears that a new dwelling would be constructed around the form of the steel portal frame. As such, in line with the principles set out within the Hibbitt judgement, the proposal is more akin to a ‘re-build’ rather than a ‘conversion’ and is therefore considered to fall outside the scope of a ‘conversion’ permitted under Core Policy 48.

Principle of Proposed Residential Use

Notwithstanding the above assessment, Core Policy 48 does not permit the conversion of rural buildings to residential accommodation unless it can be demonstrated that employment, tourism, cultural and community uses are not practical propositions.

It is recognised that viability appraisals have previously been accepted in certain circumstances to justify the conversion of rural building to dwellings under Core Policy 48 of the WCS. However, the intention of the policy is to establish whether there is any clear evidence which shows that the actual physical use or location of a rural building for employment, tourism, cultural and community uses is not practical.

The PDAS asserts that in order to be practical a use must be technically and financially viable. It argues that the continued use of the site for informal low-key storage use or for a cultural community or tourism use is not viable and not a practical proposition for the re-use of the main barn on a variety of grounds which include the location of the building, local infrastructure, and access constraints. The submitted Viability Report (September 2020) concludes that the use of the barn, once converted as a holiday let, would not be financially viable, but that an unrestricted C3 residential use would be.

Whilst there does not appear to be sound planning reasons for discounting the continued informal agricultural and storage use of the site, it is accepted there are a variety of factors that do not lend support for the change of use of the site to other employment, cultural and community uses. However, the lack of a viable alternative use does not outweigh the harm that would arise from a residential development in an unsustainable location.

## **9.2 Impact on Landscape Character**

Core Policy 48, criteria 'ii' - *the use would not detract from the character or appearance of the and would not be detrimental to the amenities of residential areas;*

In terms of the impact on landscape character, the Countryside and Rights of Way (CROW) Act 2000, under section 85 (1) places a duty on public bodies that, "*In exercising or performing any functions in relation to, or so as to affect, land in an Area of Outstanding Natural Beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.*" Great weight is also afforded to the protection of the AONB within both national and local planning policy. The NPPF outlines that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes (par 170). The NPPF states that AONBs have the highest status of protection in relation to landscape and scenic beauty and the scale and extent of development within these designated areas should be limited.

Core Policy 51 'Landscape' of the WCS outlines that development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character. The policy requires applications to demonstrate how development proposals conserve and where possible enhance landscape character through sensitive design, landscape mitigation and enhancement measures. In relation to AONBs, the policy applies great weight to conserving and enhancing landscape and scenic beauty and requires applications to demonstrate that they have taken account of the objectives, policies and actions set out in the relevant Management Plan for the AONB.

The impact of the proposed development on landscape character must be established in order to assess its acceptability within the North Wessex Downs AONB. The existing agricultural buildings on the site are of limited architectural value and due to their condition, size and design do not add to the overall attractive appearance of the area. Their demolition is therefore un-contentious. However, the change of use of the site and North Barn to a residential use has the potential to have a significant impact on the character and appearance of the area and very rural feel of the site. The impact on the proposal on the character of the site and wider landscape must be considered. The site is visible in close range views from public footpath ref.GRAF20 and in longer distance views from higher land from public rights of way.

The application is supported by a Landscape and Visual Impact Statement (March 2020 Revised July 2020) prepared by Clark Landscape Design.

In terms of visual impact, the LVIA states that “Overall, the proposed development is assessed as having a ‘Neutral’ or ‘Minor Beneficial’ visual impact by removal or refurbishment of the existing poor quality farm buildings, will provide an enhancement to the street scene and a much softer edge when seen from the wider vantage points of the North Wessex Downs AONB” (p 29).

In terms of landscape impact, the LVIA states that “The direct impacts on the landscape from the proposed development will be in terms of area lost to agricultural buildings. However, those direct impacts are minor when set against the extent of the area of the ‘Vale of Pewsey’ landscape character area as a whole” (p 29).

The LVIA concludes by stating that “By careful consideration of the landscape and visual impacts of the site from the surrounding countryside, masterplanning of the proposed layout, use of appropriate building materials and appropriate landscape mitigation measures my assessment of the proposed development is that the proposal will meet those requirements as well as the requirements of the Core Strategy Policies 57 – ‘Ensuring High Quality Design and Place Shaping’, 51 – ‘Landscape’ and 58 – ‘Ensuring the conservation of the historic environment’ (p31).

The Council’s Landscape Officer highlights that the application building is generally well concealed from all but the closest views and the proposed development will result in a reduction to the overall scale of the building. However, “whilst the mass of the building is reducing the elevations of the converted building will be changing considerably from an, or be it run down, agricultural farm building with large doorways suitable for modern agricultural machinery, minimal openings for lighting, and a rough patchwork of cladding including concrete block and corrugated sheet to a much more refined and domesticated elevations with timber cladding and modern sleek looking windows and doors”.

The Council’s Landscape Officer advises that the more domesticated elevations will visually impact on the currently more agricultural and rural character of the adjacent lane which will be to the overall detriment of the character of the lane moving away from the settlement of Wexcombe and into the countryside beyond. However, the visual impacts will be localised and minor in the context of the wider landscape and, on balance, there is no objection to the development subject to minor design alterations and full details of the landscape scheme to be secured via condition.

The AONB Planning Advisor commented on the previous application and raised concerns with the large rooflight on the north west elevation, due to the impact of light spill in what is a dark environment (dark skies being a special quality of the AONB). This matter has been addressed within this current application but the comments regarding the change of use and alterations to the appearance of the site remain. It was advised that “the changes surrounding the barn including the expansion of patio and new retaining structures introduces a significant amount of hard landscaping which would unfortunately have a suburban character to the detriment of the natural and scenic beauty of the AONB and the local character of Wexcombe”. The Planning Advisor recommended that permitted development rights for extensions and outbuildings be removed via condition should the application be granted planning permission, along with a condition restricting external lighting.

In conclusion, whilst there will be a notable change to the rural agricultural appearance of the site which will become more domesticated and therefore harmful to the special qualities of the AONB, the adverse impacts are localised and have been mitigated as best as possible. The site adjoins other residential properties so the change in character is not considered harmful

to wider landscape character and on balance, a refusal of planning permission on landscape grounds is not considered to be justified.

### **9.3 Access, Infrastructure & Local Services**

Core Policy 48 criteria 'iii' & 'iv' - *the building can be served by adequate access and infrastructure; and the site has reasonable access to local services;*

Core Policies 60 'Sustainable Transport' and 61 'Transport and New Development' seek to ensure that new developments are located within sustainable locations and are designed to encourage the use of sustainable transport facilities, and can be served by safe access to the highway network. The policies aim to reduce the need to travel particularly by private car, and support and encourage the sustainable, safe and efficient movement of people. The development would not accord with the aims of these policies due to the location of the site within the countryside and limited access to public transport facilities. The Council's Highways Development Control Officer does however recognise that the conversion of the building may be considered under an exception policy and indicated that if the principle of the development is considered acceptable the new use must be served by an appropriate access and not pose a risk to highway or pedestrian safety.

The existing access into the north-western corner of the site would be used, with the existing direct access to the barn closed. The Council's Highways Officer previously advised that "The proposal site has an access to the highway on the unclassified road that connects the hamlet to the main road at the classified road C21. This unclassified is narrow of a single track and the junction with the classified C21 (Chapel Lane/Fair Mile) is considered sub-standard in terms of visibility and geometry and additional vehicle movements would be discouraged due to these restraints. It is the opinion of the LHA [Local Highway Authority] that a change of use will result in an increase in vehicle movements and as such would not be looked upon favourably."

The application is supported by a Transport Statement prepared by IMA Transport which seeks to address the previous comments of the Council Highways Officer and concludes by stating that "The change of use is unlikely to alter daily traffic volumes significantly but would reduce direct access by large vehicles. The LHA has acknowledged there will not be any material change to traffic movements through the existing highway network and confirmed that no objection would be forthcoming on those grounds".

The Council's Highways Officer has advised that in general, a dwelling will produce more vehicle movements than a barn, although it is acknowledged that the Transport Statement demonstrates that for this site the impact of total movements for a dwelling in the proposal site location would be analogous to movements from the existing barn for which permission already exists. The Highways Officer mentioned that "The existing or permitted use can see large commercial or farm vehicles using the access and the narrow unclassified road that leads to the proposal site, so this proposal will result in fewer large slow moving vehicles and will largely replace these movements with domestic vehicle movements".

In conclusion, the site is not considered to be a sustainable location for new residential development, however the applicant is pursuing planning permission under an exception policy. As such, if the in-principle objection to the proposal is set aside, a refusal of planning permission on highway safety grounds is not considered to be justified in this instance. The site access is considered sub-standard in terms of visibility and geometry and additional vehicle movements cannot be supported; however, the application demonstrates via a Transport Statement there will be no greater risk posed to highway safety over and above the existing fall-back position.

#### 9.4 Impact on Heritage Assets

Core Policy 48 criteria 'v' - *the conversion or reuse of a heritage asset would lead to its viable long term safeguarding.*

The duty placed on the Council under section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 is the requirement to have special regard to the desirability of preserving the listed building (Wexcombe Manor) or its setting or any features of special architectural or historic interest which it possesses. Furthermore, as the adjacent Chapel building is considered to be a non-designated heritage asset proposals need to comply with policy 197 of the NPPF which states:

*“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the signification of the heritage asset”.*

In considering applications, policy requires a balanced view, with the harm which would be caused being weighed against the public benefits or securing the optimum viable use which would result from the proposals (paragraph 196 of the NPPF).

In light of legislative and policy requirements noted above the department's Conservation Officer has been consulted and has reviewed the submitted Heritage Statement (October 2020) by Pro Vision and has provided the following appraisal:

Site: the site constitutes the farmyard of the property originally known as Upper Farm, Wexcombe. The farmhouse (known as Wexcombe House from the early 20<sup>th</sup> century) and a range of historic ancillary buildings comprising stables etc. to the north-west of the house were sold into separate ownership in the 1970s, with further land added to the holding in the early 1980s. The remaining part of the farmyard, subject of the current application, constitutes two modern agricultural buildings and the remnants of a 19<sup>th</sup> century single storey brick and tile agricultural building which is understood to have been used for a period at the end of the 19<sup>th</sup> century/early 20<sup>th</sup> century as a chapel of ease, serving local people who were not always able to attend the parish church due to the remoteness of the location. The farmyard appears to be largely disused although there is farm machinery stored in the modern buildings. The site is at the south-western edge of the hamlet on a sloping site. To the north and north-west the site is largely screened by a small plantation, but to the south-east the land drops away and the site is prominent within the landscape. The former farmhouse and its remaining ancillary yard (comprising buildings of a similar era to the chapel) lies to the north-east. Part of the former principal farmyard to the south-west of the farmhouse has also been taken into the ownership of the farmhouse and incorporated into its garden area. New intervening boundary walls and garden vegetation reflecting the changed ownerships impose a degree of physical and visual separation between the original farmhouse and its main yard.

The farmhouse was sold into separate ownership in the 1970s prior to its addition to the statutory List as a grade II listed building in July 1986. The chapel is therefore not part of the listed building but can be considered as a non-designated heritage asset.

Assessment – significance of the site: the chapel holds some historic and evidential value relating to its temporary use as a chapel of ease, a relatively rare provision for public use at this period, and should be considered as a non-designated heritage asset. Unfortunately, it was created via a relatively simple conversion of a farm building with few embellishments and the building's treatment and deterioration in the intervening years has largely eroded any presence it may have had relating to its sacred use.



In addition, the former chapel was originally an outbuilding forming part of the remaining range of historic single storey buildings (which are curtilage listed) and has some historic and evidential value as part of this ancillary yard and, visually, as the terminus to the roof of the range. As a whole the ancillary yard constitutes part of the setting of the farmhouse, contributing to its significance via the interest of its original fabric, function and use and to its aesthetic value as an attractive historic range of rural outbuildings.

The original farmyard to the south-west, with its buildings, layout and continuing agricultural use similarly contributed to the significance of the former farmhouse, providing its historic context and promoting understanding of its original function and reason for construction. However, none of the historic working buildings from the original principal farmyard now remain. The yard has been bisected by boundaries relating to the change in ownership and the area transferred to the former farmhouse has changed in character to that of a garden. Other than the site access, the remaining layout, buildings and hardstanding areas bear no relation to the historic situation. It is understood that the agricultural use of the site has all but ceased. On this basis it is considered that, although the farmyard falls within the historic setting of the listed house, the site as existing makes only a limited contribution to its significance due to its historic association and as part of its wider rural context.

Impact on the chapel: in contrast with previous schemes there are no proposals for the chapel at all and the scheme should therefore be considered to be neutral in this respect. Whilst it will not actively preserve the building, neither will it harm it.

Conversion of existing farm building: the proposed conversion of the existing building would retain a building of the same scale and form and some of the appearance of the modern farm building, which is of no intrinsic interest. However, the need to introduce glazing and usable openings and to provide an appropriate domestic setting would inevitably change the character of the site. Whilst the wider rural setting of the surrounding fields would be retained, the site would no longer have the agricultural connections which contribute to the setting of the adjacent designated and non-designated heritage assets and enhance their significance by creating context and assisting in understanding of their original function and development. Given that the site is largely unused at present the impact would be generally neutral. I do not consider that there would be any positive heritage benefit which would result from the conversion of the existing building.

Conclusion: the conversion of the existing building and site to residential use would have a neutral impact on the setting of neighbouring heritage assets, both designated and non-designated and, as a result, there is no objection from the perspective of built conservation issues (legislation and national and local policy requirements are met) to the proposed development as a whole.

However, the scheme is not considered to contribute any positive conservation benefit to weigh against other policy concerns which might exist.”

In light of the above, and whilst acknowledging the requirement to have special regard to the desirability of preserving the setting of the listed buildings, it is considered that the proposal will not harm the significance of the designated heritage assets, or the non-designated heritage asset within the site.

## **9.5 Environmental Impact**

Core Policy 67 ‘Flood Risk’ of the WCS outlines that all new development will include measures to reduce the rate of rainwater run-off and improve rainwater infiltration to soil and ground (sustainable urban drainage) unless site or environmental conditions make these measures unsuitable. The application specifies that surface water will be discharged via a

soakaway and foul drainage via a septic tank. The submission and approval of further information can be secured via conditions of any planning permission.

Core Policy 56 'Contaminated Land' of the WCS outlines that new development proposals which are likely to be on or adjacent to land which may have been subject to contamination will need to demonstrate that measures can be taken to effectively mitigate the impacts of land contamination on public health, environmental quality, the built environment and amenity. The Council's Public Protection Officer advised during the assessment of the previous application that the former use of the site/building may have given rise to potential sources of land contamination e.g. oil storage, pesticides or herbicides and because it is now intended to use the site for residential purposes a statement/letter report must be provided which confirms the historical uses of the site/buildings and how development works will address any potential for land contamination which may exist. Furthermore, any asbestos shall be removed and disposed of by an approved contractor.

The PDAS explains that the barn was originally constructed as a grain store and later used as a workshop. It is currently not in any use. "Given the nature of the previous uses, the Site is considered unlikely to suffer from harmful levels of land contamination. Furthermore, the Proposals seek to convert the main barn and carry out landscaping, so there will be no significant disturbance to the ground". The PDAS does however accept that this issue could be subject to further investigation but via a condition of any planning permission that may be granted which would also secure appropriate mitigation measures. The presence of asbestos has however not been investigated and addressed within the application. In order to achieve the proposed scheme, it is considered that all existing external cladding would be removed so the applicant would be required to safely remove any material that contain asbestos in line with the rules, regulations and procedures set by The Health and Safety Executive.

## **9.5 Ecological Impact**

Core Policy 50 'Biodiversity & Geodiversity' of the WCS outlines that all development proposals must demonstrate how they protect features of nature conservation and geological value as part of the design rationale. There is an expectation that such features shall be retained, buffered, and managed favourably in order to maintain their ecological value, connectivity and functionality in the long-term. The application is therefore supported by a Preliminary Ecological Appraisal (March 2020) and Ecological Assessment (October 2020) by Pro Vision Ecology.

The Council's Ecologist has previously confirmed that there are no sites designated for nature conservation within the zone of influence of this proposal and no significant protected species issues in the local area. The current reports contain a series of recommendations to ensure potential adverse impacts are mitigated and measures to enhance the ecology of the site. It is considered that if the recommendations given in the survey reports are followed, the development will not result in any adverse impacts to local populations of protected wildlife species. A condition can be imposed on any planning permission that may be granted to ensure the development will be in carried out in strict accordance with the recommendations given in the Ecological Assessments.

## **9.8 Impact on Neighbour Amenity**

The site is visible from neighbouring properties to the south-west but there will be more than a sufficient separation distance between the proposed and existing dwellings to ensure no loss of amenity through overlooking etc. The proposed development has the potential to impact on the amenity of the occupiers of the properties adjacent to the south-east boundary of the site as a result of overlooking from the new first floor windows in the south-east elevation

but the section plan indicates that due to the site levels and orientation of the neighbouring building there will be no unacceptable loss of amenity as a result of overlooking.

## **CONCLUSION (the planning balance)**

The application seeks full planning permission to convert an existing agricultural building into an open market residential dwelling with associated work involving the change of use of associated agriculture land to form a domestic curtilage, and the construction of a three-bay garage.

The provision of a new dwelling on the site would conflict with the objectives of the Settlement Strategy (Core Policies 1, 2 & 18) of the Wiltshire Core Strategy. The application however seeks consent for the proposal under an exception policy (Core Policy 48) which allows the conversion of rural buildings provided they are structurally sound and capable of conversion without major rebuilding. It is however considered that due to the extent of work required to secure the residential use the proposal is more akin to a 're-build' rather than a 'conversion' and is therefore considered to fall outside the scope of a 'conversion' permitted under Core Policy 48.

The site is within an agricultural use which is not classed as 'previously developed land' so the presence of agricultural buildings does not lend support to the redevelopment of the site for an alternative use that would conflict with the objectives of the local development plan. The proposal would result in the provision of a large five-bedroom dwelling within an unsustainable location and it has not been demonstrated that the accommodation is required to meet a defined local need.

The proposal would result in the loss of the rural agricultural character of the site through the change of use and the provision of a large modern looking building, to the detriment of the landscape of the AONB which is not considered to be justified.

In light of the above, it is recommended that planning permission be refused.

## **RECOMMENDATION**

That planning permission be **REFUSED** for the following reasons:

The proposed development, due to the position of the site within the 'open countryside' on the periphery of the village of Wexcombe, would conflict with the settlement strategy (Core Policies 1, 2 & 18) and exception policies of the Wiltshire Core Strategy. The change of use of the building to create an unrestricted open market dwelling would not comply with the relevant exception policy (Core Policy 48 'Supporting Rural Life') of the local development plan because the totality of works required to secure a residential use is considered to amount to major rebuilding that would fall outside the scope of a 'conversion'. The proposed development is therefore deemed to be unsustainable and would conflict with the Council's plan-led approach to sustainable development

It has not been demonstrated that the dwelling is required to meet a defined local need and there are no exceptional circumstances or material planning considerations which justify the approval of the proposed development.

In light of the above the proposed development is considered to conflict with Chapters 4 'Decision-Making', 5 'Delivering a Sufficient Supply of Homes', 9 'Promoting Sustainable Transport' and 15 'Conserving & Enhancing the Natural Environment' of the National Planning Policy Framework (2018), Core Policies 1 'Settlement Strategy', 2 'Delivery Strategy', 18 'Spatial Strategy: Pewsey Community Area'; 48 'Supporting

Rural Life', 60 'Sustainable Transport' and 61 'Transport and New Development' of the adopted Wiltshire Core Strategy (2015).