Town and Country Planning Act 1990

Section 78 Appeal relating to Erection of Rural Workers Dwelling

At:
Sienna's Valley Farm
Huntenhull Lane
Chapmanslade
Wiltshire
BA13 4AS

Rebuttal Statement on behalf of the Appellant:
Mrs S Snook

Statement Prepared by:
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Our Reference: PL4745

LPA Reference: PL/2023/05142

PINS Reference: APP/Y3940/W/24/3337482

1.0 INTRODUCTION

1.1 This statement, prepared on behalf of the Appellant, is a rebuttal to:

(i) The local planning authority's Written Statement of Case;

(ii) Third Party Representations.

2.0 REBUTTAL STATEMENT

(i) Reference to local planning authority Statement of Case

2.1 **Paragraph 6.2 and 6.5** helpfully confirms the local planning authority has no issue about the agricultural need for a dwelling nor the size of the house to meet the family's needs.

2.2 **Paragraph6.5** questions the justification for the siting of the dwelling given in paragraph 6.15 of my evidence.

2.3 The accessibility to the main farm building cited in 6.15(a) has been evidenced by the photographs provided by Mr Derek Tanswell in his Third-Party Representations. This illustrates the need for space in front of the farm building to receive farm materials, in this case large hay bales. In particular, the photographs show that both barn doors, each 2m wide need to be opened to gain access. This accessibility would be totally compromised if the dwelling was sited as per the Officer's suggestion. The shape of the site, tapering towards the farm buildings also means that space is at a premium with residential use competing and conflicting with agricultural activities.

2.4 The amenity issue cited in 6.15(b) is vindicated by the individual statements issued by the Appellant's children, India, and Sienna Snook in their Third-Party Representations. This refers to the poor-quality living accommodation and this would be apparent when the Appeal Inspector carries out the site visit. The accommodation occupied was only intended to be temporary, but the problems have intensified as the Appellant's children are growing older and requiring more independent sleeping space, but also the increase in livestock numbers and associated increase in farming activity on the yard.

2.5 To be clear, the existing situation is seriously substandard and unfit for habitation by a family.

2.6 Locate the new dwelling in amongst the farm buildings, would perpetuate the conflict between family occupation and a working livestock farm.

2.7 **Paragraph 6.7** – there is a need for additional, covered livestock space as the stock numbers of the alpacas has increased from 31 in 2018 when the Applicant first started living on the site with her children to currently 46 to date, an application for a new building has not been submitted and therefore, this is not a consideration that can currently be taken into account.

2.8 **Paragraph 7.1** - it is a overstatement to say the agricultural workers are not supported by local and national planning policy because the principle of a farm dwelling is not in contention. I am also unaware of any national planning policy that specifically supports the reason for refusal.

2.9 **Paragraph 7.3** the local planning authority have not objected to or challenged the admissibility of the Inspector taking into account the amended cladding materials shown in Appendix 6 of my Statement of Case.

2.10 In respect of the suggested conditions, these are all reasonable and appropriate to the development. Other conditions relating to car parking and landscaping implementation would also be reasonable.

(ii) Third Party Representations

2.11 In support of the appeal, the submission made by Derek Tanswell refers to the proposed use of reconstituted stone cladding as used on other developments including neighbouring property, all located within the same SLA.

2.12 The representations from the Appellant's children are heartfelt and gives the human background for the need for a decent home.

2.13 In regard to representations against the appeal, there is a recurring issue of surface water flooding claimed to be a result of the activities on the appeal site. There is no direct evidence to substantiate this, and it has not been an issue raised by the local planning authority, though it must be assumed they took account of surface water flooding in their assessment of the application.