



Chadwick Town Planning

PLANNING, DESIGN & ACCESS STATEMENT

Retention of office use (Class E (g)(i)), associated vehicle parking/turning facilities and minor alterations to building

Unit 1 (Part) Beeches Farm, Icknield Way, Tring,
HP23 4LA

For

Archaylen Property Limited



November 2021

Chadwick Town Planning Limited

Registered Office: 7 Rectory Road, Hook Norton, Banbury, Oxfordshire, OX15 5QQ

Registered in England: No. 13175963

VAT Registration No. 371 4873 78

www.chadwicktownplanning.co.uk

CONTENTS	PAGE
1.0 INTRODUCTION	3
2.0 THE SITE	5
3.0 PLANNING HISTORY	10
4.0 THE APPLICATION	13
5.0 DEVELOPMENT PLAN & OTHER MATERIAL CONSIDERATIONS - APPRAISAL	17
6.0 CONCLUSION	31

1.0 INTRODUCTION

- 1.1 This Planning, Design & Access Statement ('the Statement') has been prepared by Chadwick Town Planning Limited on behalf of Archaylen Property Limited ('the Applicant') in support of a full, retrospective planning application for the retention of office use, associated vehicle parking/turning facilities and minor alterations to the building ('the development') of part of Unit 1, Beeches Farm, Upper Icknield Way, Drayton Beauchamp, near Tring, HP23 4LA ('the application site'). The office use would have formerly fallen within Use Class B1(a) but now falls within the new Use Class E(g)(i) of the *Town and Country Planning (Use Classes) Order, 1987 (as amended)*.
- 1.2 Unit 1 is part of a group of former agricultural buildings at Beeches Farm, which is located close to the north of the new Roman Park residential development on the edge of Tring (in Dacorum Borough). It is less than 1 mile from Tring town centre and close to the A41/B4009/B488 junction. Beeches Farm consists of a complex of former agricultural buildings, which have been used for office/storage purposes for many years. The main structures are the former chick rearing sheds, Units 1 and 2 (also known as Sheds A and B) that sit at right angles to Icknield Way (B488) and were last used for agriculture in 1999. There are also a range of other ancillary outbuildings and a former agricultural worker's bungalow adjacent.
- 1.3 There is a Certificate of Lawful Use for B8 Storage and Distribution uses within most of Unit 1 (LPA Ref.No.19/02911/ACL). Office use has taken place in the remainder of Unit 1 for many years, with the extended parking areas and external alterations to the building – comprising the insertion of brown windows and doors - having been mainly undertaken around 2003 and then completed in 2016, both well over four years ago [and therefore immune from enforcement action by virtue of Section 171B(1) of the *Town and Country Planning Act, 1990 (as amended)*], but included in the current application for completeness.
- 1.4 Elsewhere on the site, Unit 2 secured "Prior Approval" in 2019 (19/02629/COUAF) for 'a flexible commercial or sui generis use' for 500sqm under Class R, Part 3 of the *Town and Country Planning (General Permitted Development) Order, 2015*.
- 1.5 The site lies in the Green Belt but the development is in accordance with Policy S4 of the recently adopted *Vale of Aylesbury Local Plan ('VALP')* as it is 'appropriate' development in the Green Belt involving the [retrospective] conversion – with physical works undertaken more than 4 years ago - of a building of permanent and substantial construction to office use where there is no greater impact on the openness of the Green Belt and the form, bulk and design of any conversion is in

keeping with the surroundings and does not involve major or complete reconstruction. It is also in accordance with Policy D6 of the VALP, which supports the appropriate re-use or replacement of an existing building provided this is well designed, appropriate to its context having regard to the scale of the proposal, location and impact on the surrounding area.

- 1.6 It also complies with Government advice in the *National Planning Policy Framework (2021)*. The NPPF is not only supportive of the expansion of businesses in rural areas, including through conversion of existing buildings (Paragraph 84), it also states that the re-use of buildings in the Green Belt [provided they are of permanent and substantial construction, as in this case] is not inappropriate as long as it preserves its openness and does not conflict with the purposes of including land within it. The retention of the office use and conversion of part of Unit 1 satisfy both of these requirements and therefore compliance with the NPPF is a material consideration of considerable weight in support of the proposal.
- 1.7 The office use has operated satisfactorily from this part of Unit 1 for many years and provides a base for the Applicant's company and staff, meetings and IT/storage activities for Noble Foods, accommodating about 11 people. The hardstanding around the building is used for car parking and turning associated with the office and storage uses, screened by close-boarded fencing and landscaping and has no adverse impact upon highway safety, residential amenity or the amenities of the surrounding area, which lies within the Chilterns Area of Outstanding Natural Beauty.
- 1.8 In summary, the physical works were substantially completed more than 4 years ago and the use has been in operation in one form or another for almost 20 years, provides valuable office space for locally-based businesses and supports a number of jobs and the rural economy without any undue impacts. It is not only in accordance with the Development Plan it is also supported by "other material considerations" including the *NPPF (2021)*. Therefore, in line with Section 38(6) of the *Planning and Compulsory Purchase Act, 2004* and Section 70(2) of the *Town and Country Planning Act 1990*, we respectfully request that this application be approved.

2.0 THE SITE

2.1 Unit 1 forms part of Beeches Farm, which is located to the east of the A41 on the northern side of Icknield Way (B488) about 1km to the south-east of Drayton Beauchamp, 2km from Tring town centre and just metres from the western edge of Tring, inside the border of Buckinghamshire with Hertfordshire (Dacorum Borough). Some 2.7km to the west of the site is Aston Clinton. See Google Earth aerial at Image 1 below (red line for indicative purposes only), which shows the overall Beeches Farm site in relation to the CALA Homes' Roman Park residential development under construction, the cemetery to the south of the site, the Icknield Way Industrial Estate to the east and the extensive existing housing estates of Tring beyond it.

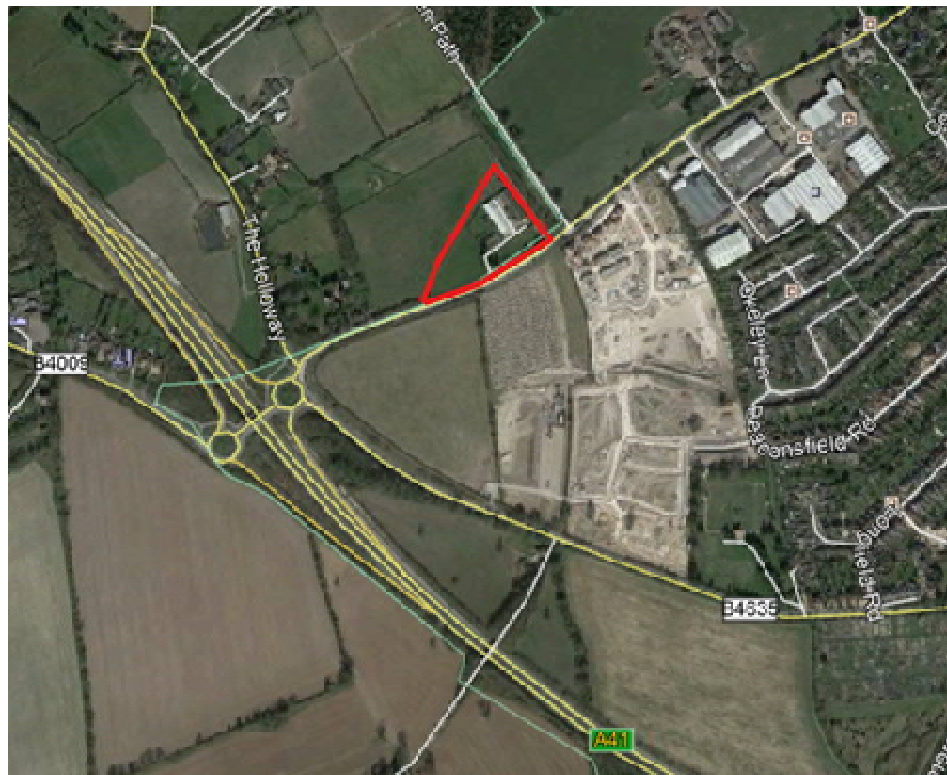


Image 1 – Overall Site Location (Google Earth)

2.2 Beeches Farm is bounded by Icknield Way (B488) to the south and woodland and Green Path track to the east. It lies close to the junction of both the B488 and B4635 (Aylesbury Road) with the A41, which bypasses Aston Clinton and runs to the south-west of Tring.

- 2.3 Tring is bordered by the Chiltern Hills Area of Outstanding Natural Beauty (AONB). The site is also within the Metropolitan Green Belt. A public footpath also crosses the site but is unaffected by the development the subject of this application.
- 2.4 Beeches Farm was a former agricultural enterprise used for chick rearing as part of the Dean Foods Group's egg production business. However, the chick rearing use of the site ceased in 1999. The existing buildings and layout of the site can be seen on Image 2 (red line shown for indicative purposes only) below.



Image 2 – Existing Buildings and Layout of the Site

- 2.5 After 1999, existing chick rearing Shed A (also known as Unit 1) was partially converted to offices (without planning permission) and the rest of the building was used for storage. A Lawful Development Certificate was granted by Aylesbury Vale District Council (AVDC) in September 2019 for the storage use (see Planning History in Section 4.0) on the basis that the change of use of this part of Shed A

to B8 storage use (375sqm) took place more than 10 years ago, was “established” and immune from enforcement action under Section 171B (2) of the *Town and Country Planning Act, 1990 (as amended)*. This use occupies more than half of Shed A/Unit 1, which has a floorspace of about 710 sqm.

- 2.6 The south-west facing elevation of Shed A/Unit 1 can be seen at Image 3 below. Shed B/Unit 2 is in the background with the silos in between the two buildings.



Image 3 – Existing Building & Silo – Shed A/Unit 1

- 2.7 As can be seen from Image 3, the existing building (Shed A/Unit 1) is of substantial and permanent construction being timber-clad on a brick plinth with a profiled metal roof. There are brown windows and doors on the two principal elevations (see also Image 4) and gravelled and concrete hardstandings for the parking and turning of vehicles associated with the office and storage uses.



Image 4 – North-East Elevation of Shed A/Unit 1 and Shed B/Unit 2

- 2.8 Shed B is of similar construction to Shed A but has an older corrugated roof with roof vents and is largely unused at present. There are two tall metal silos adjacent to the two Sheds and parking around the site which is enclosed by tall fencing and planting (See Image 4).
- 2.9 In September 2019, AVDC determined that Prior Approval was not required (under Class R of the Town and Country Planning General Permitted Development Order, 2015) for the change of use of 500sqm of former chick rearing Shed B/Unit 2 from agricultural use to a “flexible use” falling within A1-A3, B1, B8, C1 or D2 of the *Town & Country Planning Use Classes Order, 1987 (as amended)* under App. No. 19/02629/COUAF.
- 2.10 To the south-west of the Sheds A and B is a bungalow with a pitched tiled roof and a prefabricated concrete garage to the north-east, which can be seen on Image 5 overleaf, showing the site, its curtilage, parking provision, landscaping and fencing all well-contained within the overall site.



Image 5 – Existing buildings, fencing and planting on the Site

2.11 The site is flanked to the north-east and north-west by small, hedged fields of mixed farmland with an area of woodland to the east (along Green Path) and another about 100m to the north of the site. As shown on Image 5, Shed A/Unit 1 [and the site in general] is well screened with mature trees along its border, both along Icknield Way and Green Path track. The main views into the site are generally close and localised from Icknield Way (B488) as the Beeches Farm buildings are well screened by perimeter fencing and existing trees/planting.

3.0 PLANNING HISTORY

- 3.1 There was an approval for the demolition and erection of the bungalow, chick rearing buildings and feed hoppers in 1973 (72/00818/AR) and an application in 2003 for the conversion of a chick rearing building to offices (03/02207/APP). This was refused. An appeal (04/00027/REF) against this refusal was also dismissed in November 2004 principally on highway safety grounds. It should be noted that this application is accompanied by a *Transport Statement* that demonstrates that the current proposal to retain just 335sqm of office floorspace using an existing access that has been considered by the Highway Authority to be safe for 500sqm of "flexible" uses – see below – will not adversely affect highway safety. This is because the traffic generation is low and the necessary visibility splays are available in either direction of the access onto the B488 where the speed limit has been altered following the construction of the Roman Park development. See accompanying *Transport Statement* for full details.
- 3.2 Paragraph 5 of the appeal decision letter is pertinent to this application as it states: *'The development, which concerns the conversion of one of a pair of former chick rearing sheds within a small complex of farm buildings, which the appellant indicates are currently unused, had been almost fully implemented and the offices were in use when I visited the site.'* The Inspector added at Paragraph 12: *'The former poultry shed appears to have been extensively renovated, with the physical changes required for the conversion, including the insertion of windows and doors, already having taken place.'*
- 3.3 The office was used as overspill accommodation from an office facility at Bridgeway House, Icknield Way Industrial Estate. Following the dismissal of the appeal, the company moved some of their activities and staff to other sites out of the Aylesbury Vale area. The IT department remained at Beeches Farm until 2007 when there was then sufficient space for them to relocate back to Bridgeway House. After this time the offices at Beeches Farm were used regularly for meetings, although no staff were permanently based there until about 2016 when some further minor alterations to the building were completed.
- 3.4 A Certificate of Lawfulness (CLEUD) application was submitted for the established B8 use of Area B, Shed A (19/00192/ACL) but was refused on the 4th April 2019. A resubmission of this CLEUD application (19/02911/ACL) established a lawful use of over half of Shed A for B8 storage and distribution purposes when it was approved on 11th September 2019.

- 3.5 In 2019, a "Prior Approval" application (19/02629/COUAF) under Class R of Part 3 of Schedule 2 to the *Town and Country Planning (General Permitted Development) (England) Order 2015 (Amended)* was submitted to establish whether prior approval was required in respect of transport and highways impacts, noise impacts, contamination risks and flood risks for the change of use of the existing agricultural building (Shed B) to a flexible business use. This was approved on 11th September 2019.
- 3.6 The extent of these authorised/approved storage and "flexible" uses is shown on Image 6 below.



Image 6 – Extent of Authorised/Approved Storage and Flexible Uses

- 3.7 In December 2019 an application (19/04168/ACL) was approved to enable the adjoining bungalow to be occupied without complying with agricultural occupancy condition no.2 attached to planning permission Ref: 72/00818/AR granted on 17 October 1972.
- 3.8 After a positive pre-application process and response from the Council in January 2021 (20/04065/COMM) an application for the demolition of existing buildings and redevelopment of existing employment site to form a Rural Business and Enterprise Hub (Use Class E) comprising two single storey office/business units and two-storey family office, cycle storage, showers and toilets, car parking, internal access road and vehicle turning areas, re-routing of public footpath and associated engineering works including retaining walls, drainage and landscaping was submitted in July 2021 (21/02895/APP). This application is currently undetermined pending the resolution of various planning, highway and other

matters and submission of other applications, including this one, at the request of the Council after they questioned the extent of the lawful and non-agricultural uses on the site. The pre-application advice (20/04065/COMM), however, stated:

'Although historically the site was in agricultural use, the recent certificate of lawfulness and prior approval permissions demonstrate that the majority parts of the two buildings are now in or could be of a lawful employment use..... Nevertheless, it is accepted that Beeches Farm is now an established employment site, although it is not a key employment site (as defined in Policy E1 of VALP). VALP Policy D6 supports the intensification of existing employment premises in sustainable locations. The NPPF is also supportive of the expansion of businesses in rural areas, including through new buildings and rural diversification.'

- 3.9 Finally, a further "Prior Approval" application for a determination under Class R of Part 3 of Article 3, Schedule 2 to the *Town and Country Planning (General Permitted Development) (England) Order 2015 (Amended)* as to whether prior approval is required in respect of transport and highways impacts, noise impacts, contamination risks and flood risks for the change of use of an existing agricultural building (part of Shed B/Unit 2) to a flexible use falling within Class E (commercial, business or service) for use as an office falling within Use Class E was submitted by the Applicant and validated on 7th October 2021 under App. No. 21/04040/COUAF. It remains undetermined at present.

4.0 THE APPLICATION

4.1 The application seeks retrospective planning permission for the retention of the existing office use, associated vehicle parking/turning facilities and alterations to the building (insertion of windows and doors) – although the physical works were substantially completed more than 4 years ago and are therefore immune from enforcement action under Section 171B(1) of the *Town and Country Planning Act, 1990 (as amended)*. The office use is within the northern part of Unit 1/Shed A with the office use falling within Use Class E (g) (i) of the *Town and Country Planning (Use Classes) Order, 1987 (as amended)*. By definition, such a use, formerly falling in Use Class B1 (a), can be carried out in any residential area without causing detriment to the amenity of the area.

4.2 The office includes the following accommodation and currently supports employment for 11 staff in connection with the Applicant's business and Noble Foods Limited's production and distribution activities, as a leading supplier of fresh food brands to major retailers and consumers:

- Lobby/reception
- Meeting/lecture room
- Meeting room
- Large office
- Store
- Boiler room
- Kitchen
- Toilets
- Server room

4.3 The parking standards for the former Aylesbury Vale area are now set out in the adopted Vale of Aylesbury Plan Appendix B. With 335sqm of office floorspace and at a standard of 1 space per 25sqm, a total of 13.4 (13) spaces are required to be provided. These are shown on the accompanying site layout drawing and have been in existence for some time, certainly in excess of 4 years.

4.4 As can be seen on Image 7, 10 spaces for Unit 1 are accommodated to the south of the two buildings, with 3 spaces accommodated at the front of the building on or adjacent to the areas of existing hardstanding within the fenced area of the site, without any detriment to the openness of the Green Belt or the character and appearance of the Chilterns Area of Outstanding Natural Beauty.



Image 7 – Parking areas within the site

- 4.5 This building (Unit 1/Shed A) and other structures at Beeches Farm were designed for a specific purpose, chick rearing, which ceased over 20 years ago. The building was not designed for employment use but has, nevertheless, been adapted in a modest way and has provided, and continues to provide, useful office, storage and other space for local businesses generating a number of jobs to support the rural economy.

Amount and Use

- 4.6 This part of the building provides about 335sqm of office floorspace, used for purposes falling within Use Class E (g) (i). The total size of the red-lined application site is 1,720sqm in extent incorporating access, parking and turning facilities serving the office and storage use in the remainder of Unit 1.
- 4.7 The total amount of floorspace within Units 1 and 2 is about 1,420sqm. This proposal equates to just 24% of the total. The CLEUD and Class R "Prior Approval" currently account for 875sqm or 62% of the total floorspace of the two former chick rearing buildings now in or capable of being in legitimate employment/commercial use.

Layout

- 4.8 There are no changes proposed to the layout of the building, which is shown on the accompanying floor plan drawing, with the office area shaded in red.

Scale

- 4.9 The application involves a retrospective conversion. There is no increase proposed to the scale of the building.

Landscaping

- 4.10 The building is well-screened by other buildings and existing natural vegetation/landscaping and fencing on the boundaries of the wider site. See Image 8.



Image 8 – Existing Trees/Vegetation and Fencing Screening the Site

Appearance

- 4.11 The building is clad in green painted timber panels. It previously included roof vents or ducts, which were removed when the roof covering was repaired and

replaced many years ago with modern corrugated metal sheets found on similar agricultural buildings rather than the corrugated sheets seen on Unit 2/Shed B.

- 4.12 The insertion of brown windows and doors, with none on the south elevation, helps retain an agricultural appearance but enables access and natural light and ventilation to enter the building to support office use. These works were undertaken and completed more than 4 years ago so benefit from the "4-year rule" and are immune from enforcement action. The roof can be seen but the building generally is not readily visible from the public realm.

Access

- 4.13 There is no change to the access to the site from Icknield Way (B488) and no parking or highway issues associated with this application. The red lined application site includes access to the public highway. It has been demonstrated previously that adequate visibility is available to and from the existing access onto the B488 for its safe operation.
- 4.14 Pedestrian access to the site is via the public footpath that crosses the site. This is unaffected by this application. The footpath connects to other public paths on the southern side of Icknield Way.
- 4.15 The development is in an appropriate location being within walking and cycling distance of facilities available in Tring. Tring Railway Station is within easy cycling distance and the site making commuting by bike/train a viable option for users of the site. In addition, there are regular bus services that link Tring to surrounding towns and villages. The nearest bus stop is on Aylesbury Road, a 550m / 6-minute walk through the Roman Park development.
- 4.16 The site and access can be easily accessed by refuse, service and emergency vehicles with adequate turning and manoeuvring facilities within the site, which has operated satisfactorily for many years, without any detriment to highway or pedestrian safety. See accompanying *Transport Statement*.

5.0 DEVELOPMENT PLAN & OTHER MATERIAL CONSIDERATIONS - APPRAISAL

- 5.1 Section 38(6) of the *Planning and Compulsory Purchase Act, 2004* and Section 70(2) of the *Town and Country Planning Act, 1990* require that planning applications be determined in accordance with the adopted development plan unless material considerations indicate otherwise.
- 5.2 The development plan in this case comprises the recently adopted Vale of Aylesbury Local Plan 2013-2033 ('VALP' or 'the Plan') whilst the National Planning Policy Framework ('NPPF'), Planning Practice Guidance ('PPG') and the site's planning history are important material considerations, including the CLEUD, Prior Approval, the fact that the office use has operated for many years and the physical works were completed more than 4 years ago so immune from action.

Development Plan

- 5.3 The Vale of Aylesbury Local Plan 2013-2033 (VALP) was adopted in September 2021 and contains a number of policies of relevance to the proposal, including Policy S4 relating to the Green Belt, Policy S7 relating to "Previously developed land" and Policy D6 regarding the provision of employment land. In respect of Policy E5 "Development outside town centres", it is clear that this proposal comprises "small scale rural development" that does not need a sequential test and will have no effect upon town or other centres.
- 5.4 Other policies and the relevant "material considerations" are addressed within the assessment of the main issues identified below.

Main Issues

- 5.5 Having regard to the policies in the Development Plan and the NPPF, the main issues are considered to be as follows:
- whether the development is 'appropriate development' in the Green Belt having regard to the NPPF and the relevant development plan policies;
 - the effect on the rural economy;
 - the impact of the development on the character and appearance of the area, including the Chilterns Area of Outstanding Natural Beauty;

- the effect upon residential amenity;
- the effect on biodiversity; and
- the effect on highway safety.

Green Belt

- 5.6 The proposal relates to a small (335sqm) part of a former agricultural building – the other part being in an authorised storage use and comprises previously-developed land - and adjacent land located in the Green Belt, close to the new Roman Park development and on the edge of Tring. Access is off the B488, which links to the A41 just to the west of the site.
- 5.7 Policy S4 c) of the VALP reflects Government guidance in the NPPF, and supports small-scale appropriate development, as set out below, providing it preserves the openness of the Green Belt, and does not conflict with the purposes of including land within it:
- c) the conversion of buildings of permanent and substantial construction where there is no greater impact on the openness of the Green Belt and the form, bulk and design of any conversion is in keeping with the surroundings and does not involve major or complete reconstruction;*
- 5.8 Paragraph 150 of the NPPF states that the re-use of buildings of permanent and substantial construction and material changes in the use of land are not inappropriate in the Green Belt provided that they preserve its openness and do not conflict with the purposes of including land within it. On the latter, there will be: no sprawl of built-up areas; no effect on towns merging into one another; safeguarding of the countryside from encroachment; preservation of the setting of the special character of historic towns; and the beneficial recycling of land to assist regeneration.
- 5.9 Unit 1 is clearly of permanent and substantial construction, having been constructed following planning permission in 1973 and “converted” in the early 2000’s after the agricultural use ceased in 1999. It has been used for a combination of office and storage purposes for around 20 years without any structural or other problems. The structural integrity of the building was acknowledged and accepted by the Council in 2003 (App. No. 03/02207/APP). There are no grounds for questioning this now.

- 5.10 In terms of the effect upon the openness of the Green Belt, the building is single-storey with a simple design based upon its agricultural origins and clad in timber so has a low-key appearance, with only the upper part of the building and its roof being visible above the boundary fence and boundary planting/vegetation. In the Council's pre-application advice of January 2021 (20/04065/COMM) the buildings (Units 1 and 2) were described by the Council's Planning Officer as having '*a plain and simple form which would fit well within a countryside location*' and with the two buildings being close together and single storey, '*their impact on openness is limited*'. The external alterations to the building are not readily visible from the public domain and have no adverse visual impact in any event, as they are modest, discrete and compatible with the agricultural appearance of the buildings. The Inspector on the appeal in 2004 agreed that the alterations to the building did not have any adverse effect upon the openness of the Green Belt. This still applies in 2021 and must take into account the fact that they were completed more than 4 years ago and so immune from enforcement action.
- 5.11 The Inspector [in 2004] commented that cars parked in previously open areas in the Green Belt added to his concerns about the proposal, albeit that the Council considered that the parking was well-related to both the existing areas of hardstanding and enclosed by an existing fenced compound and did not result in an intrusion into the countryside within the Green Belt.
- 5.12 17 years on, it should be noted that the southern boundary of the site is formed by a high timber fence with tree planting adjacent with just a narrow gap in the fencing to allow vehicular access to the site from the access road from the B488. See Image 9 below. Cars are well-screened within this enclosed area and have been parked and manoeuvred here for many years. The character of the wider area has also changed significantly in recent times with the Roman Park development, which has urbanised this edge of settlement location.



Image 9 – Fencing and Screening Around the Site

5.13 The site lies on a plateau but is otherwise largely level although it falls away to a lower level in the far north-east corner. Therefore, there are very limited public views into the site. This is demonstrated by Image 10 taken from near the B488.



**Image 10 - View of Site with Roman Park in the background along
Icknield Way**

- 5.14 Bearing in mind that the previous use of the site for chick rearing is likely to have resulted in some external parking and storage and given the high level of screening present now, it is considered that the use preserves the openness of the Green Belt and does not result in an urbanising effect or conflict with the purposes of including land within the Green Belt. See also Paragraph 5.8 above.
- 5.15 As such, it can be concluded that the development would not be inappropriate development in the Green Belt having regard to relevant paragraphs of the NPPF and Policy S4 of the VALP. It accords with these policies which seek, amongst other things, to ensure that the Green Belt is protected from inappropriate development, that openness is preserved and that there is no conflict with Green Belt purposes. All of these are clearly satisfied by the application.

Rural Economy

- 5.16 Employment in the Aylesbury Vale area of Buckinghamshire is primarily focussed on the town of Aylesbury where approximately half of all job opportunities are located. Within the expansive and largely rural parts of the District, employment was traditionally linked closely with agriculture. However, in line with trends nationally, the numbers employed locally in this sector have declined dramatically over the years.
- 5.17 This is mirrored at Beeches Farm, where the site was in agricultural use until 1999 but the recent Lawful Development Certificate and Prior Approval decisions will result in the majority of the two principal former agricultural buildings being in a lawful storage use or proposed "flexible" commercial use. To regularise the use as offices associated with the Applicant's business and Noble Foods Limited's production and distribution activities, would be consistent with such approved/authorised uses in otherwise redundant farm buildings that need a suitable, alternative use to contribute to local employment and the County's economy.
- 5.18 There are many such sites throughout the rural areas of the County. The continued use of these sites for employment purposes accords with the aims of the VALP and the NPPF. In dealing with the application (03/02207/APP) the local planning authority concluded quite correctly that the office would contribute to the rural economy. Indeed, it provides valuable office and related accommodation for the Applicant's business and Noble Foods, supports employment for 11 people at present and has operated satisfactorily for many years without detriment to any interests of acknowledged importance. Although the Applicant seeks planning

permission retrospectively and has used the site in the absence of planning permission for many years, this is not a reason to withhold planning permission now.

- 5.19 Policy D6 of the VALP states that employment development will generally be supported in sustainable locations through the appropriate re-use or replacement of an existing building provided this is well designed, appropriate to its context having regard to the scale of the proposal, location and impact on the surrounding area. The existing building is appropriate in design terms and is well-established in this rural context, retaining its appearance as a farm or rural building in a edge of town location. This has been accepted by the local planning authority over many years, by the Council in its pre-application advice of January 2021 (20/04065/COMM) and by the Economic Development Officer in his comments on the redevelopment application (21/02895/APP). In terms of maintaining consistency, an important planning principle¹, the same considerations should apply in this case.
- 5.20 Paragraph 84 of the NPPF also supports a prosperous rural economy, including the sustainable growth and expansion of all types of business in rural areas including through conversion of existing buildings, the development and diversification of agricultural and other land based businesses and sustainable rural tourism and leisure developments that respect the character of the countryside. Of particular note is Paragraph 85 of the NPPF, which recognises that sites to meet local business needs in rural areas may have to be found beyond existing settlements and in locations not well served by public transport. This is inevitable given the location of former agricultural holdings and the rural nature of much of the County.
- 5.21 It is also important to note that the Government is committed to raising the nation's productivity and the rural economy is an important part of that plan. The *Rural Productivity Plan - Towards a one nation economy: A 10 point plan for boosting productivity in rural areas* – was published on 20 August 2015. It recognises the importance of rural areas to the national economy, and the contribution that improved productivity would make to those areas.
- 5.22 The *Rural Planning Review* also states that rural areas host around half a million businesses, over 25% of all registered businesses in England. Many of the businesses operating in rural areas are small or medium sized enterprises.

¹ North Wiltshire District Council v Secretary of State for the Environment and Clover [1992] 3 PLR 113

Economic activity in rural areas is increasingly diverse, with significant manufacturing and services sectors, alongside more traditional farming. Knowledge-based and creative industries are also growing rapidly.

5.23 It adds that rural areas in England are home to 17.6% of England's total population and 15% of jobs. Many people in the rural economy are involved in agriculture, either directly or indirectly, but many other businesses also provide jobs in rural areas.

5.24 Hence, the Government is keen to enable rural businesses to grow and diversify to help rural communities to thrive. This includes ensuring the planning system is responsive to managing the changing demands on the rural landscape and supports the growth of the rural economy. The proposal is complementary to the Government's objectives through this *Review* and the *Rural Productivity Plan*. Commenting on progress under the Rural Productivity Plan, Environment Secretary Elizabeth Truss [at the time] said:

"Our plan will help us create thriving towns and villages, where families can turn disused agricultural buildings into new homes for the next generation and entrepreneurs can launch the latest cutting-edge start-up from an office with a stunning countryside view."

5.25 It should also be recognised that achieving sustainability objectives [in the VALP and NPPF] is more than just about transport and locational sustainability. This proposal contributes strongly towards achieving sustainable development, environmentally, socially and economically by supporting: diversification and economic growth in the area; existing and small/medium enterprises providing local employment; and the rural and agricultural economy.

Sustainability

5.26 The site is just outside a recognised settlement but is now located very close indeed to the western edge of Tring (in Dacorum Borough) - due to the Roman Park development under construction - and about 2km from its centre. The allocation of the Roman Park development (LA5) to the south-east of Beeches Farm was found 'sound' by the Inspector examining the Dacorum Site Allocations Local Plan², which was subject to a Sustainability Appraisal and had to meet sustainable development objectives to satisfy national policy in the NPPF, in order to be found "sound". Indeed, Tring is one of the larger towns in Dacorum Borough

² Report on the Examination of the Dacorum Borough Council Site Allocations Local Plan – 6th April 2017

and a focus for homes, jobs and strategic services. It is classified as a market town within the settlement hierarchy and as such contains a wide range of services, facilities, retail provision and employment opportunities. Therefore, it has been deemed to be a sustainable location for development, which is significant and relevant given its close proximity and relationship to Beeches Farm.

- 5.27 The Roman Park development is well underway and has access to a good range of facilities within walking/cycling distance including two bus stops, Rothschild Surgery, Goldfield's Infants School, Bishop Wood C of E Junior School and Tring School³. The supporting documentation for this development indicated that the uptake of sustainable methods of transportation in Tring is above the national average. In addition, the incorporation of pedestrian and cycle connections to the existing network – including to the north to Beeches Farm and beyond - will ensure that residents of the site have the opportunity to contribute to this high uptake and access any employment opportunities provided at Beeches Farm. Furthermore, people working at Beeches Farm will be able to utilise and access the services and facilities provided at the Roman Park development and residents of Roman Park may find employment at Beeches Farm.
- 5.28 In terms of the site itself, whilst there are no bus services along Upper Icknield Way, past the site, there are services stopping nearby at the Business Centre on the B488 and on the B4635 Aylesbury Road. However, Green Path passes alongside the north-eastern boundary and a public footpath passes through the site. To the south, two public footpaths (48a and 71) connect with the southern side of Icknield Way and provide kissing gates and access to the site from this significant housing development. Therefore, there are numerous ways of accessing the site using sustainable modes of travel and people working at Beeches Farm can access local services easily. See *Transport Statement* prepared by *Abington Consulting Engineers* for full details.
- 5.29 In conclusion, the proposal provides local employment, contributes to the economy and involves the conversion of an existing building for a small business use, which is supported by Policy D6 of the VALP and the NPPF. Although not within a settlement, the site is very close to Tring and all of its services and facilities and the new mixed-use development at Roman Park that has been held to be in a sustainable location.
- 5.30 The proposal is therefore consistent with the aims of the VALP and NPPF in seeking to locate development in a sustainable manner on a [part] previously-developed

³ Transport Statement submitted with App. No. 4/00958/18/MFA

site (Policy S7 of VALP). This will contribute towards retaining valuable local employment, supporting local businesses and maintaining a healthy rural economy.

Character and Appearance of the Area including Chilterns AONB

- 5.31 The visual impact of Unit 1 and use upon the openness of the Green Belt has been considered above. It should also be noted that the minor works of alteration to the building were undertaken over 4 years ago so are immune from enforcement action in any event. The site is well screened with mature trees along its border with Icknield Way and Green Path track. The existing buildings are all set back from Icknield Way and further screened by a perimeter fence and mature landscaping. Views of the site and building are generally only perceived from the site boundary or immediate context and limited in extent. In the wider landscape, the vegetated site boundaries and mature tree cover contribute to screening the existing buildings and to the well-treed character of the wider landscape of the Chiltern AONB.
- 5.32 Being adjacent to Icknield Way with associated street lighting and road signage and close to the roundabout with the A41, the site is not perceived as being part of the open countryside, but has a rural/settlement edge character (i.e. appearance and feeling) consolidated by the western expansion of Tring on the opposite side of Icknield Way.
- 5.33 The change of use of part of an agricultural building to commercial use would be barely noticeable and would not adversely affect the landscape character. Any limited views of the site, especially from the south [the main public view or appreciation of the site], would be predominantly screened by the intervening fencing or landscaping and largely viewed in relation to the urbanising infrastructure and/or the Roman Park development.
- 5.34 Policy NE3 of the VALP sets out that proposals for major development must demonstrate that they conserve and enhance the Chilterns AONB's special qualities, distinctive character, etc.
- 5.35 The Chilterns AONB is a nationally designated landscape and as such the NPPF states at Paragraph 172 that:

'The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest.'

- 5.36 The proposal is not a major development and is limited in scale and extent to retention of use of a small part of an otherwise redundant but substantial former agricultural building. The suitable re-use of this part of the building conserves and enhances, by avoiding an otherwise derelict structure to appear, the Chiltern AONB's special qualities, distinctive character, tranquillity and remoteness. This is in accordance with national planning policy and the overall purpose of the AONB designation and the *AONB Management Plan*, which outlines strategic objectives for development within the Chilterns AONB.
- 5.37 It should be recognised that this small part of the building and related site forms a tiny component of the wider AONB and Landscape Character Area. The development is very minor and in-keeping with much more prominent existing settlement edge land-uses (residential and commercial) surrounding the site. The retention of existing landscape features, which itself contributes to the well-treed context as seen in these longer views, maintains a soft edge to the site. Therefore, it is not considered that the proposed development would conflict with the key components of the AONB's natural beauty or its setting and would comply with Policies NE3 and NE4 (Landscape character) of VALP, the AONB Management Plan and the NPPF.
- 5.38 The local planning authority previously concluded (03/02207/APP) that the conversion of the whole of the building to an office would not detract from the visual quality, ambience and character of the Chilterns AONB. There is no reason to conclude any differently with this current proposal due to the fact that the site is already developed, the use provides a useful function for an otherwise redundant building, the site already comprises existing built form and has a settlement edge character. The site is well-contained visually and hence there are very limited or restricted views into the site and no adverse impact upon the character and appearance of the area and the Chilterns AONB.

Residential Amenity

- 5.39 The office use is a neighbourly use and falls within Class E (g)(i), which contains a requirement that it can be:
- 'carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.'*
- 5.40 A *Noise Assessment* undertaken by *Assured Acoustics* for the rural enterprise and business hub redevelopment application (21/02895/APP) examined the effect of additional traffic visiting the site and concluded that current noise from the B488 is

such that, even with a worst case of 100 car events (based on about 50 parking spaces with that proposal) travelling at around 15mph past the property, the average daily increase in noise levels would be less than 0.3dB in existing ambient noise levels. The noise impact is slight or negligible, there is no adverse effect upon residential amenity and no further action or mitigation is required. The Noise Assessment is submitted for information purposes to support the application, which would generate much less traffic and therefore have no adverse noise impact.

- 5.41 It is therefore concluded that the proposal will have no adverse impact upon the residential amenity of the adjoining bungalow or nearby residential properties in accordance with VALP Policy BE3, the NPPF and advice in *Planning Practice Guidance (PPG)* on how planning can manage potential noise impacts in new development.

Biodiversity

- 5.42 A *Preliminary Ecological Appraisal* was carried out for the rural enterprise and business hub redevelopment application (21/02895/APP) by Philip Irving MCIEEM, who has worked for over twenty years as a Senior Ecologist for a Countryside Management Trust based in Bedfordshire. This included a detailed internal and external inspection of the existing buildings for bats and nesting birds, and a general habitat and species survey of the site, with an assessment of the habitats and the potential for protected species to be present.
- 5.43 The *Preliminary Ecological Appraisal* found no evidence of bats in any of the buildings although the possibility of finding roosting bats can never be completely discounted, so precautionary mitigation measures were proposed. No evidence of nesting birds was found in the buildings, although a check for nesting birds will need to be undertaken prior to demolition work and the clearance of any woody vegetation, which should ideally avoid the bird nesting season.
- 5.44 No evidence of badgers or any reptiles and amphibians were recorded, with the mown amenity grassland and hard surfacing surrounding the buildings providing poor terrestrial habitat for these species. The property is within a Green Impact Zone for great crested newts identified as part of the South Midlands District Licensing Scheme, which means there is only a moderate probability of great crested newts being present in the area, with no nearby records of newts, or ponds on or adjacent to the property that could support them. A great crested newt licence would not be required for the development, with appropriate timing of work and the implementation of avoidance measures minimising the risk of any

other species in the area being harmed during site clearance and construction work.

- 5.45 In short, the ecological habitats at the wider Beeches Farm site are currently of little biodiversity interest, consisting of regularly mown species-poor amenity grassland and unvegetated hardstanding, with planted conifers and other semi-mature ornamental trees. A hedge along the northeast boundary of the property is very gappy, with a row of semi-mature planted trees alongside it on the adjacent land. However, none of the existing trees, hedgerows or vegetation are to be removed so there will be no harm to biodiversity.
- 5.46 In this case it is just a small part of one of the existing buildings that is affected, so biodiversity enhancements is limited to installation of bat cavities and bird boxes such as swift boxes on the building. This takes the relevant parts of the wider enhancement scheme from the *Preliminary Ecological Appraisal*, which is submitted for information purposes. An updated BIA metric calculation has not been provided as this is more for areas of land rather for individual or groups of buildings.
- 5.47 Planning conditions can be used to ensure net gains in biodiversity in accordance with Policy NE1 of the VALP and NPPF through the incorporation of features (bat/bird boxes) to enhance biodiversity.

Highways

- 5.48 Unit 1 and site is accessed from Icknield Way (B488). The site access lies adjacent to a point where the highway speed limit changes between 50mph (to the east) and national speed limits (to the west). The 50mph speed limit has recently been extended to the application site's access as part of the works associated with the Roman Park residential development opposite, reflecting its built-up nature.
- 5.49 The development plan policies state that it is necessary to demonstrate that the existing site access is sufficient in terms of highway safety to serve the proposed use. Policies also require it to be demonstrated that there is sufficient capacity in the transport network to accommodate the increase in travel demand as a result of the development, in accordance with the aims of the VALP Policies T5 and T6 and the NPPF.

Access

- 5.50 The application is accompanied by a *Transport Statement* prepared by Abington Consulting Engineers, which demonstrates that adequate visibility is available to and from the existing access for its safe operation. Calculations show that, in accordance with the recorded 85th percentile speeds, a visibility splay of 2.4m x 125.1m is required to the east of the access and 2.4m x 104.3m to the west. These have been plotted on the proposed access drawing in the *Transport Statement*, which shows that the splays can be accommodated within the existing highway boundary. This satisfies the development plan policies and Paragraph 110 of the NPPF, which requires 'safe and suitable access' for all users.

Highway Network

- 5.51 Using trip rates from TRICS data from similar sites/developments across the country, the *Transport Statement* concludes that the proposed office use has the potential to generate some 16 to 17 peak hour vehicle movements. This is insignificant in the context of the 1,000 or so peak hour vehicle movements that pass along Icknield Way. Furthermore, given that the application is retrospective and that the office has already been in use for several years, any problems associated with the traffic generated by the office use would already be evident. There are no such problems and it is clear that the office's traffic generation has no detrimental impact on highway conditions. With just 11 staff working on site at present the vehicle movements are less than the TRICS data might suggest.
- 5.52 The development will therefore have a negligible impact in terms of its traffic generation and impact upon the highway network, which satisfies Paragraphs 110 and 111 of the NPPF. No mitigation is required, hence there is no conflict with Policy T5 of the VALP.

Sustainable Transport Modes

- 5.53 The building is within walking and cycling distance of the facilities available in Tring. Access to the site is available via a network of footways and footpaths. One public footpath crosses the application site. Tring Railway Station is also within easy cycling distance of the site making commuting by cycle/train a viable option for users of the site. In terms of other public transport, there are regular bus services that link Tring to surrounding towns and villages. The nearest bus stop is on Aylesbury Road, a 550m / 6-minute walk through the Roman Park development, which helps with the sustainable travel mode options, in accordance

with Paragraph 110 of the NPPF, which takes into account the type of development and location. No Travel Plan is required since the development is under 2,500sqm.

Parking

- 5.54 Policy T6 and Appendix B of the VALP require 1 space per 25 sqm of floorspace for business (office) use although these are expressed as optimum standards. With 335sqm of office floorspace a total of 13.4 spaces are required. 13 spaces are shown, in accordance with the NPPF, which advises using standards as maxima to promote sustainable transport modes whilst recognising the type of development and its location. An electric vehicle charging point/space will be provided (1:25 car parking spaces) to meet the requirements of VALP Policy T7.
- 5.55 In conclusion, on access, highway and parking matters, it is considered that the development meets planning policy requirements and the NPPF in terms of being in an appropriate location that is safely accessible by a range of transport modes.

6.0 CONCLUSION

- 6.1 This application seeks retrospective permission for the retention of a change of use of a small part (335sqm) of a redundant agricultural building to office and its minor alteration to support local, established businesses and retain local employment (11 jobs). The works of alteration to the building were undertaken and completed more than 4 years ago so are immune from enforcement action. They are included in the application for completeness. The use has also been in existence for many years and has operated without any detriment to the area or highway safety in all of this time. The larger part of the agricultural building has an established storage use and a similar, adjoining building has "Prior Approval" for change use to "flexible" business use after the local planning authority considered transport, noise, contamination and flood risks and raised no concerns.
- 6.2 The site lies within the Green Belt but the proposal comprises appropriate development, does not conflict with any of the purposes for including land in the Green Belt and accords with Development Plan and NPPF policies which seek, amongst other things, to ensure that the Green Belt is protected from inappropriate development, that openness is preserved and that there is no conflict with Green Belt purposes.
- 6.3 The proposal involves an existing building of permanent and substantial construction – supported by the Development Plan and the NPPF – with an office use which has and would continue to contribute to the rural economy. Although not within a settlement, the site is very close to the edge of Tring, is becoming subsumed into the urban area and is accessible to services and facilities by cycle, on foot and by public transport.
- 6.4 The proposal is a very small-scale use within a building which is low-key, well-screened from public view, has a rural appearance, protects the openness of the landscape and will not result in an intrusion into the AONB or wider landscape character area. There will be no landscape or visual effects, which has been previously accepted by the local planning authority.
- 6.5 There will be no material impact upon the residential amenity of the bungalow or nearby residential properties and no adverse effects upon highway safety as the access meets visibility standards and the development has a negligible impact in terms of its traffic generation and impact upon the highway network, with opportunities for sustainable travel by pedestrians and cyclists and with public transport accessible via public rights of way and by cycle.

- 6.6 The proposal contributes to sustainable development by: supporting the diversification and economic growth in the area; reusing an existing asset; providing accommodation for existing and small/medium enterprises providing local employment; and helps underpin the rural and agricultural economy, thereby meeting objectives set out in Government guidance, including the Rural Planning Review and Rural Productivity Plan.
- 6.7 Therefore, in accordance with Section 38(6) of the *Planning and Compulsory Purchase Act, 2004* and Section 70(2) of the *Town and Country Planning Act, 1990*, we respectfully request that the Council grants retrospective planning permission for this application, as it is in accordance with the development plan and supported by many other material considerations.