

Supporting Planning Statement

Prepared by Shaun Andrews Design Limited

2759.SPS

Cakeford, Great Horwood

Change of Use to Residential

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SUPPORTING STATEMENT

(A RESPONSE TO THE OFFICER'S REPORT RELATING TO THE PREVIOUS APPLICATION)

This application is a resubmission of an application ref 21/02040/APP that was recently refused. However, when studying the case officer's report, it was clear further information and clarification should be provided with this application, together with a response to several negative comments within the report, which had they been addressed at the time are likely to have led to a different decision.

NB: The following is a copy and paste of the case Officer's report relating to the previous application 21/02040/APP. The original document is reproduced here in black type, with our response to the points made, and further information, noted therein in blue, within the original text, for ease and clarity.

Buckinghamshire Council

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Delegated Officer Report

Application Number: **21/02040/APP**

Proposal: Change of use of existing barns and land from current mixed Use Class E Light Industrial and B2 general Industrial use to residential use, creating a 4-bedroom barn conversion dwelling, with separate double garage and stores

Site location: Land Adjacent To Cakeford, Little Horwood Road, Great Horwood, Buckinghamshire, MK17 0NZ

Applicant: Mr and Mrs Chris Lewis-Evans

Case Officer: Catherine Dickson

Ward affected: WINSLOW

Parish-Town Council: GREAT HORWOOD

Valid date: 24 June 2021

Determination date: 21 January 2022

Recommendation: REFUSAL

Summary and recommendation

The Great Horwood Neighbourhood Plan (GHNP) (2015) sets out that there is a presumption against development beyond settlement limits unless within certain categories, none of which are applicable in this case. The proposals fail to comply with a number of detailed criteria within VALP policy C1.

In this case, though the existing building would appear to be of substantial permanent and construction, and therefore capable of conversion without major reconstruction, (this is contradicted later in the reasons for refusal) it nonetheless does involve substantial alterations by way of external appearance including new roof and cladding to the walls along with the insertion of various items of additional and larger fenestration. Furthermore, it is not a building where its preservation is desirable (we cannot see where in the Policies noted below that this stated as a requirement) - it is of a utilitarian commercial appearance more appropriate to an urban/employment area.

The proposal, therefore, is considered to be contrary to policy 1 of the GHNP, and Policies BE3, NE4 and C1 of VALP, paragraphs 174 a) and b) of the NPPF, and to the guidance within the National Design Guide 2021, including part C1.

It is recommended that the application be REFUSED for the following reason:

1. The existing modern farm building is not considered to be of a design or location that contributes positively to the historic rural character of the wider farmstead or surrounding local landscape. Clearly, the building is NOT a modern farm building – it is a commercial building and therefore not part of any farmstead. Indeed, the building has never been in agricultural use, but is typical of modern late C20 buildings that are found in the local landscape. And whilst we agree that the current building doesn't contribute positively to the historic rural character and local landscape, the proposed changes are considered to be a very significant improvement. The proposed conversion, along with external alterations and creation of associated domestic curtilage of the buildings in this prominent location would exacerbate the continuing visual harm to the area to an unacceptable degree. The extent of external alterations proposed would result in an overly domestic appearance to the site when viewed from the public highway, at stark odds with the rural character of the locality.

This screenshot is the only view of the building from the public highway.... It is clearly misleading to describe the building as being in a prominent location - It is difficult even to see the building and will be impossible to identify the (very limited) domestic curtilage from the highway. We estimate that just 1-1.5m of the building is all that can be seen from the highway.



In addition, insufficient information has been submitted to demonstrate that building is structurally capable of withstanding the conversion works without major re-construction. [Whilst this contradicts the earlier comment, this application includes a Structural Engineer's Report confirming the building is capable of conversion without major reconstruction.](#)

Furthermore the site is not considered to be in a sustainable location and future occupiers would have poor access to essential services by any mode of transport other than private motor vehicle and the development would fail to contribute to achieving sustainable development in this regard. [In fact the building is a short walk \(½ mile\) from the nearest bus stop, 1.5m miles from Cycle Path 52 linking Winslow and Milton Keynes and 6 miles to Bletchley Train mainline Station.](#)

The application does not include sufficient information to demonstrate that the building is genuinely redundant for any agricultural purposes nor is there sufficient information about the wider agricultural holding and any buildings erected as permitted development that may have resulted in this application building becoming redundant. [The buildings, as stated previously and as noted in the application description and site description below, are NOT Agricultural.....](#)

As a result, the proposed development is contrary to policy 1 of the Great Horwood Neighbourhood Plan 2015, policies BE2, NE4 and C1 of the Vale of Aylesbury Local Plan September 2021, to the guidance within the National Design Guide 2021, including part C1, and the National Planning Policy Framework 2021, including 174 a) and b).

WORKING WITH THE APPLICANT/AGENT

In accordance with paragraphs 38 and 39 of the National Planning Policy Framework, the council takes a positive and proactive approach to development proposals and is focused on seeking solutions where possible and appropriate. The council works with applicants/agents in a positive and proactive manner by offering a pre-application advice service and updating applicants/agents of any issues that may arise in the processing of their application as appropriate and, where possible and appropriate, suggesting solutions. In this case, the applicant did not use the pre-application process and it was considered that the above objections to the proposal could not be overcome through minor amendment.

The determination of this application falls within the scope of Officer delegated powers

DATE: 22nd December 2021 SIGNED: C E Dickson

PROFESSIONAL CHECK: Zenab Hearn

Title: Principal Planning Officer

Agree Recommendation DATE: 21.01.2022

Site Description

Application site comprises two buildings on the south side of Little Horwood Road where the land slopes to the south. The surrounding area is characterised by agricultural uses.

The established use of the buildings is Use Class E Light Industrial (mechanical/engineers workshop) and B2 (vehicle repairs)".

The application site is located within open countryside; however, it is not subject to a landscape designation within the Vale of Aylesbury Local Plan September 2021. The site is not within a conservation area, and none of the buildings at the site or in the close vicinity are statutorily listed.

The site lies within flood zone 1.

Proposal/description of development

The application seeks to convert these existing buildings to a self-contained dwelling and associated garage and storage area.

The applications plans indicate a single-storey building with the main structure retained with new roof and see cedar clad walls, along with the addition of fenestration to provide light and entry to the building.

A site plan is included with the application to indicate a limited curtilage around both of the buildings, with vehicular access from Little Horwood Road.

The application comprises the following plans and documents:

- 2759.01 - location plan
- 2759.02 – site plan
- 2759.03 building A existing plan and elevations
- 2759.04 building B existing plan and elevations
- 2759.05 building A proposed plan and elevations
- 2759.06 building B proposed plan and elevations
- trees and ecology checklist

Relevant planning history

Reference: 18/00363/ACL

Development: Application for a Lawful Development Certificate for an existing use B1 Light industrial

Decision: refused Decision Date: 12 December 2018 this concerned the 2 buildings the subject of this present application.

Reference: 19/04089/APP

Development: Two storey front/side extension to replace garage with balcony to rear, external render to building and a single storey detached garage.

Decision: Approved Decision Date: 7 January 2020

Extensions to existing dwelling – approved and appear to have been carried out.

Reference: 20/00601/ACL

Development: Application for a Lawful Development Certificate for an existing mixed use of B1 Light Industrial (mechanical/engineers workshop) and B2 (vehicle repairs) in Barns A and B uninterrupted since December 2006

Decision: Approved Decision Date: 9 October 2020

This concerned the 2 buildings the subject of this present application.

Officer note: at the date of the site visit in connection with the current application, neither of the buildings were in use for these purposes. However, given that the use of such has been proven to be lawful, it is not considered that that use has been abandoned given the limited passage of time since the certificate was issued, and also that there appears to have been no other intervening use since the lawful use apparently ceased. [That the tenant wasn't working at the time of the \(brief?\) site visit doesn't mean that it is then reasonable to state that "the lawful use apparently ceased". Indeed, the tenant is still working there today, and the commercial use has certainly not "ceased".](#)

Reference: 20/01581/ACL

Development: Application for a Lawful Development Certificate for a single storey side extension

Decision: Approved Decision Date: 10 July 2020

Concerned the main dwelling existing.

Reference: 21/00425/COUIN

Development: Determination as to whether prior approval is required in respect of transport & highway impact, contamination risk, flooding and locational considerations for the conversion of a steel-framed B1(c) (light industrial) unit into one dwelling under Class PA. The dwelling contains 6 habitable rooms with each such room having either a large window or fully glazed doors that will provide natural light far in excess of that required for current UK Building Regulations compliance.

Decision: "out of time" Decision Date: 20 August 2021

No decision on this application was issued within the prescribed 56 day limit (W, 11 Part 3 Procedure - GPDO). However, the absence of a decision does not indicate that the use proposed is lawful merely that the details submitted are deemed to have been approved. However, they may only be carried out if the use to which they relate would be a lawful development, for example one permitted by the GPDO. In that regard, it is noted that the existing lawful use is for a mixed light and general industrial use, and therefore would not benefit from any permitted development rights that may exist assumed to Class PA.

The relevance of these to the consideration of the application is discussed below.

Parish/town Council comments

Great Horwood: concerns about highway safety and that the dwelling would generate significantly more traffic where visibility is restricted. Also, with regard to policy C1 of the VALP it is noted that certificate of lawfulness asserted that the building was neither redundant nor disused.

The applicant has provided a response to those comments: building is presently in use but to a lesser extent than previously. Considers that the most appropriate use is for residential, when compared to a B1/B2 use given proximity to an existing dwelling. Refers to details of policy C1 and also the NPPF; asserts that proposal is in compliance. [Also, the current commercial tenant is close to retiring and the current Commercial use will of course continue if the application to residential is again refused, which \(with a new tenant\) may lead to a far greater vehicle movements, including large HGVs, when compared to current levels. This is an existing commercial building which has the potential to generate additional traffic movements above those associated with a single domestic dwelling. The B2 use has the potential to cause noise and disturbance to the immediate neighbouring residential dwelling through normal general industrial activities](#)

Consultation responses

Drainage board: this site is outside the Boards district, in this instance the Board has no comment to make.

Ecologist: No objection subject to condition of biodiversity enhancements to be incorporated into the building

Representations:

None.

Evaluation

Principle of the development

The relevant development plan comprises the Vale of Aylesbury Local Plan September 2021 (VALP) and the Great Horwood Parish Neighbourhood Plan, March 2015 (GHNP). Other material considerations include the NPPF and the National Design Guide 2021.

VALP policy S1 sets out the overarching objective is for development to comply with the principles of sustainable development. This means that new development should be in accordance with the vision and strategic objectives and detailed policies of the VALP. It identifies that consideration will be given to, amongst other things, landscape impact, accessibility through sustainable modes of travel, and priority given to the reuse of vacant or underused brownfield land.

Policy S2 sets out the spatial strategy for growth which, in summary is to focus growth in the most sustainable locations including main settlements and villages. It identifies that in rural areas housing development will be strictly limited.

Policy S3 identifies that new development in the countryside should be avoided in particular where it would compromise the character of the countryside between settlements.

Policy 1, spatial plan and sustainable development, of the GHNP identifies a settlement boundary for the purposes of containing the physical growth of the village. It advises that proposals to develop land outside the settlement boundary will not be permitted “unless it is necessary for the purposes of agriculture or forestry, or for enterprise, diversification or recreation that benefits the rural economy without harming countryside interests”, and new development should not result in the loss of open land that contributes to the form and character of the villages.

Policy C1 of the VALP (2021) allows the re-use of an existing building that is of permanent and substantial construction and generally in keeping with the rural surroundings in the countryside provided it meets the criteria set out within the Policy. Policy 1 of the GHNP with regard to not permitting development in the countryside except for certain purposes outlined above. This is considered further below

Policy NE4 confirms that development must also recognise the individual character and distinctiveness of landscape character areas and the contribution they make to a sense of place, and also development should not be visually prominent in the landscape.

The principle of the development is not considered to be supported by Policy C1 as the proposal would create a residential dwelling outside of any defined settlement in a location that is only accessible by private motor vehicle. Insufficient evidence has been submitted to demonstrate that a continuing business is no longer financially viable (or that alternative business use(s) of the building

is unrealistic to achieve). Except that, subject to prior approval, the change of use of the B1 (now E) workshop to a dwelling is permitted development...

The proposal would result in the retention of a modern farm building that does not positively contribute to the wider character of the generally well-preserved historic rural landscape. It is acknowledged that the building is existing, so has a visual impact, but currently its presence is considered to be justified by the rural business that it supports, and the contribution to the rural economy and local employment that arises from the existing use. Retaining the modern farm building and introducing much more domestic fenestration and garden curtilages would create an incongruous and alien feature within the rural landscape losing any ongoing benefits to local employment and the rural economy. The building has not been in agricultural use but is typical of modern late C20 buildings that are found in the countryside. The new openings, fenestration and cladding changes proposed are very limited and use the current openings and materials as the basis for the design changes, which could be made to the commercial building anyway, without requiring planning permission. To be clear, most of the fenestration changes re-use the existing openings, with limited alterations. It is quite wrong to claim that these and the very limited garden curtilage would create "an incongruous and alien feature within the rural landscape", as they patently would not.

The NPPF does not seek to resist the creation of new dwellings in the countryside and in some cases will support the reuse of existing buildings. In this case, the site is not considered to be in an isolated location, but it is not within or at the edge of any defined settlement (the village of Great Horwood is 1km to the west of the site). The location is also not accessible by public transport and safe walking/cycling routes to the nearby village or larger settlements (with a greater range of services) are non-existent. Access to most essential services would only be possible by private motor vehicle. Due to the inaccessible location it is considered to be highly unlikely that the associated population increase would benefit the vitality of the rural community and there are very few local services that would benefit from increased support. As mentioned above, this is factually incorrect. In fact the building is a short walk (½ mile) from the nearest bus stop, 1.5 miles from Cycle Path 52 linking Winslow and Milton Keynes and 6 miles to Bletchley Train mainline Station.

The benefits, increase in new homes and economic and employment benefits associated with the construction of the scheme can only be given very limited weight due to the inaccessible location and short-term nature of the expected construction period. (See above) They would not outweigh the harm that would arise, being the creation of new dwelling in an inaccessible location, loss of a rural business (and its ongoing contribution to the rural economy and local employment) and harm to the distinctively historic rural landscape character of the surrounding area. All of which are adverse impacts. This summary is flawed because the location is clearly not inaccessible, the commercial use is clearly not a "rural" business (albeit a legal use) and the current building cannot possibly be regarded as contribution to the rural landscape character.

Other matters, such as residential amenity, the impact on the safety and operation of the local highway, impact on neighbouring residential amenities and impact on biodiversity are matters that are either considered to be not harmful or generating a degree of harm that can be mitigated by planning conditions.

During the assessment of the application additional information was provided. However, the revisions did not provide any further justification for the proposal in this unsustainable location nor was the loss of the existing rural business justified by any new evidence and the barn continues to be of a modern appearance and the development would not enhance its immediate setting. Further information was provided during the lengthy determination period, but at no point was the agent or applicant advised that further information relating to location, local services, structural suitability etc.

would be helpful. Had the officer better engaged with the agent/applicant at the time, further information would have been provided, as has been done for this application.

To conclude, it considered the proposal fails to comply with the relevant development plan policies, that are considered to be up-to-date with regard to this application. No other material considerations suggest an alternative conclusion can be reached. The proposal is therefore not a sustainable development and planning permission is REFUSED as it is considered that the proposal fails to accord with Policies BE2, C1 and NE4 of the Vale of Aylesbury Local Plan, policy 1 of the Great Horwood Neighbourhood Plan 2015 , as well as the design advice in the National Design Guide that, at C1, requires new development to have regard to its setting.

We feel that the further information provided with this application and the responses herein successfully address the concerns raised by the previous case officer in their report, and highlights where we respectfully suggest assumptions and inaccuracies that were made when considering the proposals were given too much weight and ultimately led to a decision to refuse that application. Therefore, we believe that this application can (and should) be supported.