



WREYLAND
RURAL PLANNING CONSULTANTS

PLANNING STATEMENT

Lucy Lane Fox Ltd, New Barn Farm, Chedworth, Glos GL54 4NG | JULY 2023

"Development of new soft-furnishing workroom premises and change of use of home office to office-use"



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1.0 Introduction

- 1.1 This application for Full Planning Permission concerns the provision of a new soft-furnishing workroom premises and change of use of a home office to office-use.
- 1.2 The proposed development will serve an existing business, Lucy Lane Fox Ltd which has been operating from the site in the manufacture and design of soft-furnishings since 2001. The business has been successful, and its premises has now reached its physical capacity. Accordingly the company now requires better designed and more appropriate premises to meet its potential and to more comfortably accommodate its employees who are principally located within walking distance.
- 1.3 This Planning Statement will fully describe the site together with the drivers for the proposed development and the need to provide more and better designed space, the site's planning history, the details of the proposed development and how the proposed development concords with national and local planning policy. This statement will also consider the proposal's impact upon the Cotswold Area of Outstanding Natural Beauty as a material consideration and will show that the proposal will conserve and enhance the Cotswold Area of Outstanding Natural Beauty (AONB) both at a farm level and in terms of the wider landscape.
- 1.4 This Planning Statement should be read in conjunction with the submitted plans and the Landscape and Visual Impact Assessment.
- 1.5 This Statement has been compiled by Tim Barker BSc (Hons) MSc MRICS FAAV ABIAC, Director of Wreyland Rural Planning. Tim Barker holds both undergraduate and masters degrees from the Royal Agricultural College and is a Chartered Rural Surveyor, a Fellow of the Central Association of Agricultural Valuers and an Associate of the British Institute of Agricultural Consultants.

2.0 Site location and context

2.1 The site is located at New Barn Farm, Fields Road, Chedworth, GL54 4NG (SP 05380 10842 – E:405380 N: 210842) as identified in figures 1 and 2 below:



Figure 1 – Aerial image showing extent of New Barn Farm

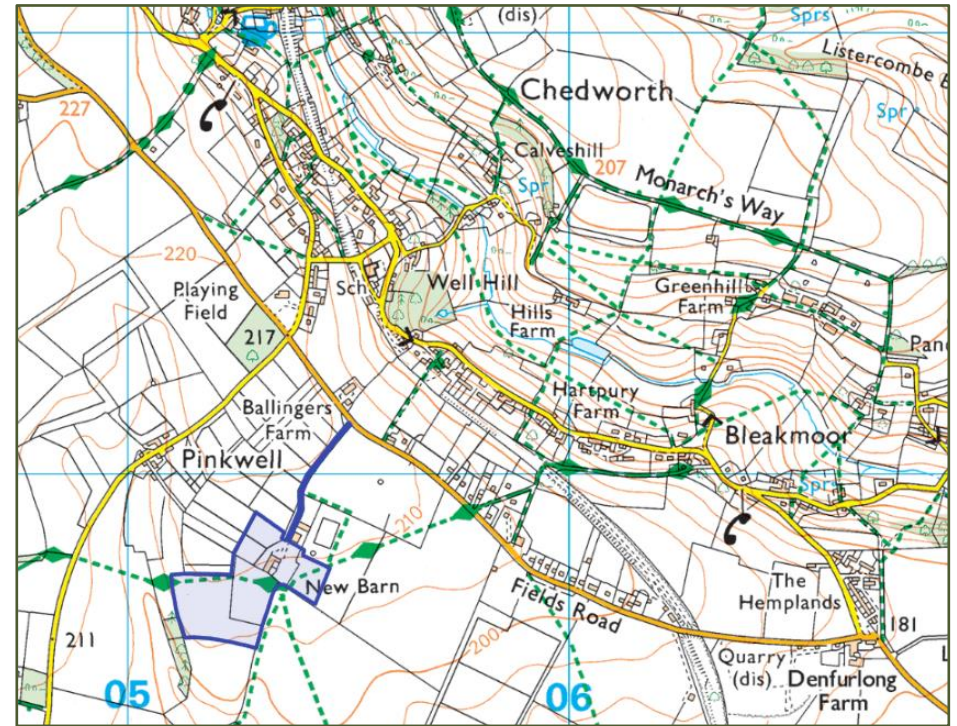


Figure 2 – OS extract showing regional context

2.2 New Barn Farm extends to approximately 5.30ha of pasture accessed from Fields Road. Centrally located within the plot is a dwelling (converted from agricultural use in 1994) with gardens and ancillary accommodation. Attached to the dwelling is the soft-furnishings workroom premises of Lucy Lane Fox Ltd which has been in situ since 2001. Within the dwelling's curtilage is also situated a separate building with permission to be used as a garden store / home office and which now serves as the administrative base of Lucy Lane Fox Ltd. The business premises are served by an adjacent parking area. The site's general arrangement is shown below in figure 3.

3.0 Lucy Lane Fox Ltd

- 3.1 Lucy Lane Fox Ltd (hereinafter referred to as LLF Ltd) was established in 1985 before moving to its current premises at New Barn Farm in 2001 and from where the company has been located ever since.
- 3.2 LLF Ltd are specialists in manufacturing bespoke handmade curtains and soft furnishings. The company provides a full range of products including curtains, blinds, cushions, valances, headboards and upholstery. These items are made by the company on site to its client's personal specifications. The majority of LLF Ltd's client base comprises high-net-worth individuals and companies principally based in the UK though with a growing number based internationally. Recently the company has serviced clients in Grenada, Bahrain and Geneva. Commissions undertaken by the company range from individual pieces to the complete redecoration of large houses, hotels and other premises. After 37 years in business, the company has established a powerful brand and premium reputation. Winning 98% of the instructions it is invited to quote for, over the last three years LLF Ltd has grown considerably.
- 3.2 At New Barn Farm, LLF Ltd provides 15 Full-Time-Equivalent jobs of which currently 4 are skilled seamstresses (or equivalent), 5 are students training in upholstery, 3 (including the applicant) are employed in the businesses management and administration and a further 3 are employed as fitters. Further to this, LLF Ltd also provides regular work for a further 10 local 'outworkers' – seamstresses employed locally by the company who work from their own homes.



Figure 3 – Aerial image showing existing site layout

- 3.3 LLF Ltd operates from the areas identified in blue in figure 3 (left). Areas 1 & 2 have been used by the company since moving to New Barn Farm in 2001 and comprise a carparking area and the company's soft-furnishings workroom area. These areas were granted permission for B1 use (light industry and workshops appropriate within a residential area) on 7th April 1995. 9 people are employed herein.
- 3.4 Permission was also granted to redevelop a former Nissen Hut at Area 3 in January 2014 (13/05213/FUL). The Application Form submitted in support of that application stated at the time that the proposed use would be for a 'home-office.' The use of this building has developed from home-office use to become the enterprise's principal office and within which are employed 3 administrative and managerial staff.

4.0 Need for new development

- 4.1 LLF Ltd has been based at New Barn Farm for over twenty years. As a result of its continued success the company has grown to an extent at which it is now critically over capacity and has outgrown its current premises. This has now resulted in the company turning work away as it does not have the capacity to undertake all of the instructions it receives. In 2022 the company was compelled to turn away £450,000 worth of work. This is a very significant loss in terms of LLF's ability to remain financially viable and to develop further, and also in terms of the need to secure existing jobs going forward and for the company's potential to provide further jobs in the District.
- 4.2 Further to this the existing premises is poorly laid out, unergonomic, is of poor design and constitutes a fundamentally a poor working environment. As a result of the company's growth beyond its physical site capacity, employees in the workroom operate in cramped and uncomfortable conditions in which there are no proper WC or welfare facilities and in which natural light is constrained.
- 4.3 Added to this, the company now holds at any one time over £100,000 of materials on site for which it does not have dedicated storage. Materials are therefore kept in temporary storage areas – items are stored within the company office, the manufacturing premises, a temporary garden summerhouse and even in the applicant's own house. This is inadequate and poses a significant risk to the company's assets.
- 4.4 Inadequate facilities now represent a critical issue. Lucy Lane Fox Ltd has explored alternative sites both within and outside the District, however the company is synonymous with Chedworth, its many clients know the premises and furthermore virtually all of the company employees live locally – many within walking distance. The company is therefore loathe to move and wishes to remain in situ.
- 4.5 These pressures upon the company, and its desire to remain local have precipitated the development proposal.
- 4.6 Figures 4 – 7 below demonstrate the cramped working conditions.



Figure 4 – The current workroom which is also currently being used for the storage of material, is extremely cramped and is a poor working environment.



Figure 5 – Showing the company's office which, like the workroom, is also being used for storage purposes resulting in a cramped environment.



Figure 6 – Showing the current staffroom. Owing to space pressures this is the only breakout area for staff.



Figure 7 – Company stock held on site, the value of which amounts to £100,000, is stored wherever there is space. These materials are being temporarily stored in a summerhouse in the applicant's garden.

5.0 Proposed development

5.1 The proposed development falls in two parts:

Part A – The provision of a dedicated company premises to provide a workroom which will significantly improve employee welfare and will provide the additional space required for the company to develop further.

The proposed timber clad workroom building will provide circa 300m² of floorspace situated in a nucleated position amidst existing development. It makes provision for open workspace, allowing staff to work more comfortably, with significantly better natural light in an uncramped, uncluttered working environment. The premises will also incorporate a dedicated staffroom and kitchen facility. The development of the new premises will then allow the existing workroom to be internally modified to provide a dedicated storage area for company materials.



Figure 8 – Proposed site plan



Figure 9 – Proposed elevations

Part B – The regularisation of the existing ‘home office’ as a formal office to serve the company.

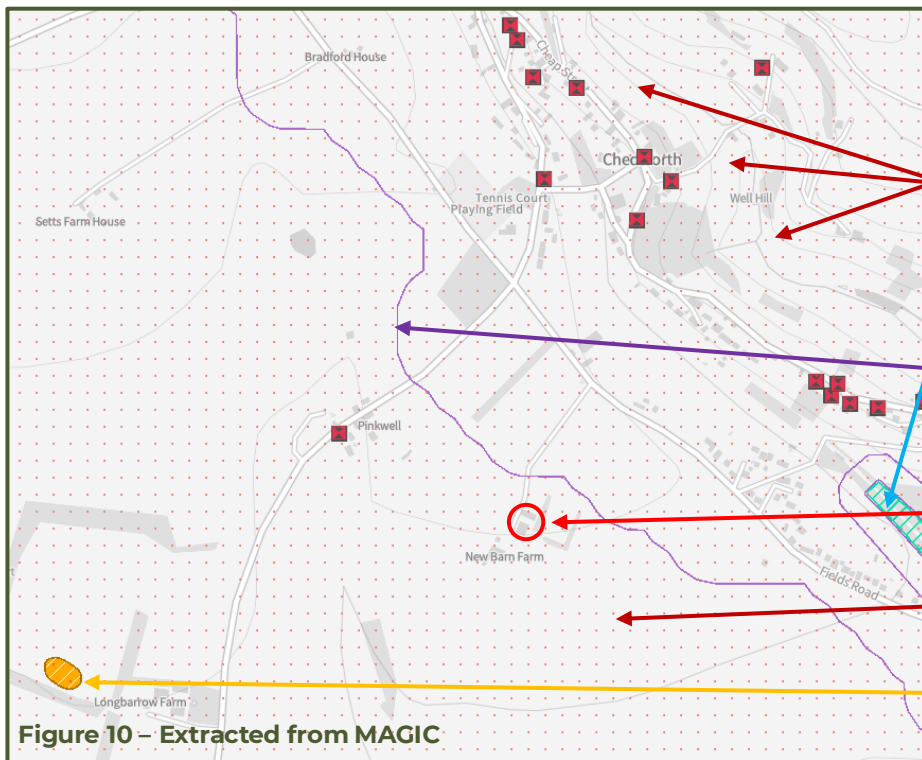
The current building has permission to be used as a ‘home-office,’ its regularisation to office premises for Lucy Lane Fox Ltd will support the company’s reorganisation and growth going forward.

6.0 Planning policy considerations

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. Therefore, in order to assess the acceptability of this proposal, it is necessary to assess it against the adopted development plan.
- 6.2 It is also necessary to consider any material considerations relevant to the development proposal, such as national planning policy contained within the National Planning Policy Framework (NPPF) and the national planning guidance contained within the Planning Practice Guidance (PPG), as well as any locally adopted supplementary planning guidance (SPG) and documents (SPD).
- 6.3 The development plan comprises the Cotswold District Council Local Plan 2011 – 2031 (adopted 3rd August 2018)

SPATIAL CONSTRAINTS

- 6.4 Identified Spatial Constraints are shown below in figure 10. The proposed development at New Barn Farm has no nexus with any identified spatial constraint, save that of the Cotswold AONB which will be discussed further below.



Listed Buildings (all Grade II)

Site of Special Scientific Interest with impact areas identified in purple

Application site

Area of Outstanding Natural Beauty – represented by red dotted area which washes over entire search area

Scheduled Ancient Monument

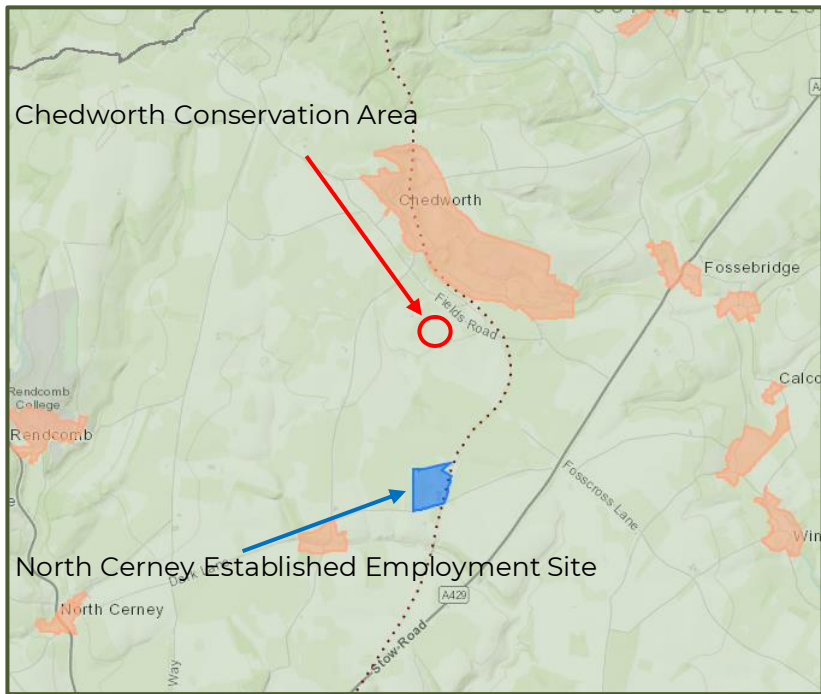


Figure 11 – Extracted from Cotswold District Council Interactive Local Plan showing the site outside of the Conservation Area

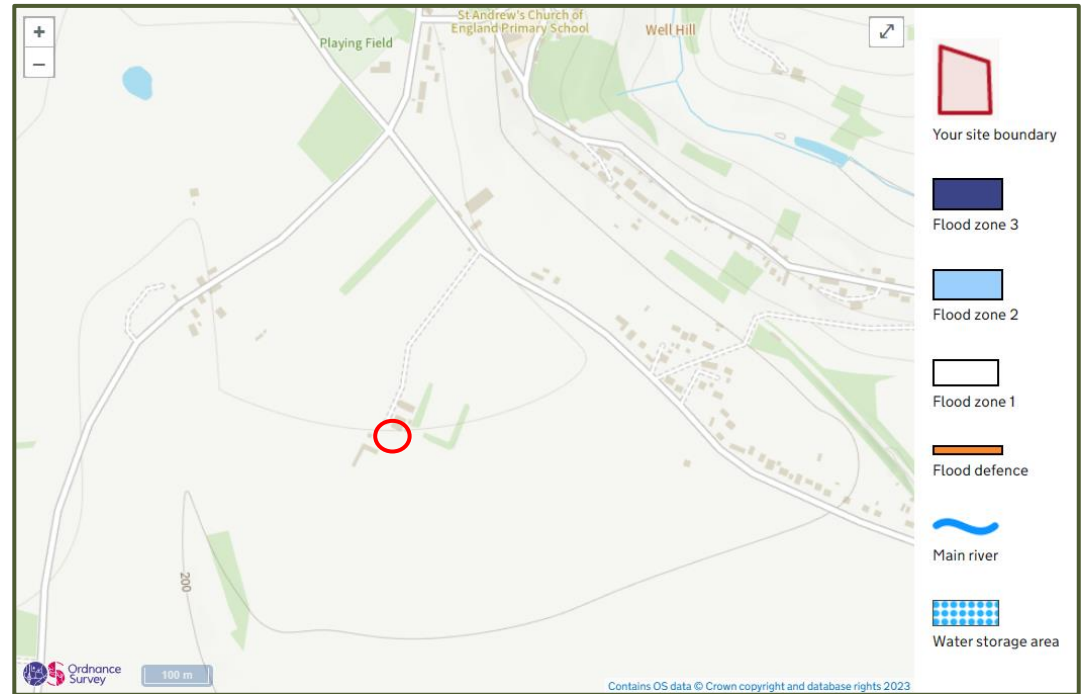


Figure 12 – Extracted from the Environment Agency Flood Risk Map for Planning showing the site located outside of any Flood Risk Zones.

- 6.5 The site is located to the south-west of Chedworth and is within the Cotswold Area of Outstanding Natural Beauty. Other than this, MAGIC indicates that the site is not located within material proximity to any Listed Buildings, SAMs, SACs or SSSIs. There are a number of Public Rights of Way in the wider vicinity and their relationship with the site has been explored further in the accompanying LVIA document.
- 6.6 The Environment Agency's Flood Risk Map for Planning shows that the site in its entirety is located within Flood Zone 1. The site is less than 1ha in size and therefore no Flood Risk Assessment is required to be submitted in support of this application.

PRINCIPLE OF DEVELOPMENT

Local Plan **Policy EC1 (Employment Development)** states that Employment Development will be permitted where it:

Policy EC1 EMPLOYMENT DEVELOPMENT

Employment Development will be permitted where it:

- a. supports the creation of high quality jobs in professional, technical and knowledge-based sectors and seeks to support economic opportunities which capitalise on the strength of existing academic and training institutions and research organisations;**
- b. maintains and enhances the vitality of the rural economy;**
- c. enables opportunities for more sustainable working practices, including home-working;**
- d. supports and improves the vitality and viability of Primary, Key, District and Local Centres; or e. supports sustainable tourism in ways that enables the District to attract higher numbers of longer-stay visitors.**

6.7 The supporting text to Policy EC1 states that “*Policy EC1, the other economic and site specific policies, together with the Development Strategy, form the Economic Strategy of the Local Plan. The Local Plan Economic Strategy seeks to build upon existing strengths by exploiting the competitive advantage of the District’s key businesses and seeking sustainable economic growth to maintain and support its current place in the market...*

The Strategy seeks to safeguard established employment sites where they are still attractive to the market, and secure high quality employment sites where there is an identified need for further development opportunities. The Strategy also supports small scale employment development appropriate to the rural area.

The Local Plan will deliver this by wherever possible encouraging the growth and/or expansion of existing businesses in the District; implementing planning policies that positively guide development proposals for all types of employment-generating development, e.g. retail, tourism, etc

The Local Plan will aim to (inter alia) reduce car journeys and retain market share and prevent further expenditure leaving the District”

6.8 Local Plan **Policy EC3 (Proposals for all types of employment-generating uses)** states that;

Policy EC13 PROPOSALS FOR ALL TYPES OF EMPLOYMENT GENERATING USES

2. Outside Development Boundaries, and outside established employment sites, proposals for small-scale employment development appropriate to the rural area will be permitted where they:

a. do not entail residential use as anything other than ancillary to the business; and

b. are justified by a business case, demonstrating that the business is viable; or

c. facilitate the retention or growth of a local employment opportunity.

6.9 The supporting text to Policy EC3 states inter alia that; *“the Local Planning Authority (LPA) also recognises the importance of the rural economy to Cotswold District, therefore Policy EC3 enables small-scale employment development appropriate to rural areas. Rural business units represent an important element of the employment portfolio of Cotswold District. The policy encourages the positive development of small rural employment premises in appropriate locations. Sensitive, small-scale employment development helps to sustain the rural economy and create local employment opportunities. Proposals, however, must be in keeping in terms of scale, size and function with the location*

Continued demand for rural workspace driven by lifestyle choices, a strong tourism sector, and the footloose nature of small enterprises (brought about by improvements in telecommunications and broadband access) is expected. Self-employment in the Cotswolds is significantly higher than the national average and opportunities for home working need to be strengthened. In addition, superfast broadband and telecommunications are key factors contributing to the success of rural businesses.

Facilitating flexible working practices, such as the integration of residential and commercial uses within the same unit, is therefore an important planning tool to support the local economy. Policy EC3 makes it clear that proposals outside Development Boundaries that have residential use as the principal element of the business will not be acceptable. However, a residential use that is ancillary to the business may be acceptable if the other criteria set out in the policy are met. The restrictions that will be applied to live/work units are set out in Policy EC3.

Generally, Policy EC3 encourages employment proposals which support or restructure the local economy through the provision of incubation space for small-scale rural economic activity.”

Policy EC6 CONVERSION OF RURAL BUILDINGS

The conversion of rural buildings to alternative uses will be permitted provided:

- a. the building is structurally sound, suitable for and capable of conversion to the proposed use without substantial alteration, extension or re-building;**
- b. it would not cause conflict with existing farming operations, including severance or disruption to the holding that would prejudice its continued viable operation; and**
- c. the development proposals are compatible with extant uses on the site and existing and planned uses in close proximity to the site.**

6.10 The supporting text to Policy EC6 states that;

“It is important to ensure that new uses are sympathetic to the rural character of the area, respecting local building styles and materials, in keeping with their surroundings, without creating adverse environmental effects due to, for example, nuisance or traffic generation. For proposals which do not meet the specifications for permitted development buildings should be physically capable of being converted in terms of their size, soundness and structural stability, without recourse to extensive rebuilding, alteration or extension. The conversion should be just that, and not a pretext for what would be tantamount to the erection of a new building in the countryside.”

NATIONAL PLANNING POLICY FRAMEWORK

- 6.11 Section 6 of the National Planning Policy Framework (NPPF) relates to "Building a strong, competitive economy" and at paragraph 80 specifies that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. It states that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- 6.12 Paragraph 83 of the NPPF specifies that planning policies and decisions should recognise and address the specific locational requirements of different sectors.
- 6.13 Paragraph 84 specifically relates to the need to support a prosperous rural economy and in particular states that planning policies and decisions should enable (inter alia);
- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;

- b) the development and diversification of agricultural and other land-based rural businesses;
 - c) sustainable rural tourism and leisure developments which respect the character of the countryside;
- 6.14 Paragraph 85 of the NPPF states that planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport.

DESIGN & LANDSCAPE SETTING

POLICY EN2 DESIGN OF THE BUILT AND NATURAL ENVIRONMENT

Development will be permitted which accords with the Cotswold Design Code. Proposals should be of design quality that respects the character and distinctive appearance of the locality.

- 6.15 The Cotswolds Design Code encourages high quality design that establishes a strong sense of place and responds to local character. In the countryside, the code states that a few grand houses might sit prominently within the landscape, but the majority of buildings will appear nestled within their setting will not be prominent or located on the skyline – an understanding of the impact of development on key views is critical.
- 6.16 In designing new development, close attention is to be given to scale, form, roofscapes, elevations and the landscaping surrounding them to ensure that development not only responds to local character, but develops a sense of place in its own right. Excessive bulk should be avoided and new buildings should not dominate their surrounding, but should complement existing structures and sit comfortably within their setting. The height of new buildings should respond to local context.

POLICY EN5 COTSWOLDS AREA OF OUTSTANDING NATURAL BEAUTY

In determining development proposals within the AONB or its setting, the conservation and enhancement of the natural beauty of the landscape, its character and special qualities will be given great weight.

- 6.17 Also material is Paragraph 176 of the NPPF which gives '*great weight*' to the conservation and enhancement of the landscape within Areas of Outstanding Natural Beauty. The scale and extent of development within these areas should be limited and sensitively located and designed to avoid or minimise adverse impacts.

TRANSPORT, ACCESS and PARKING

POLICY INF 4 HIGHWAY SAFETY

Development will be permitted that:

- a. is well integrated with the existing transport network within and beyond the development itself, avoiding severance of communities as a result of measures to accommodate increased levels of traffic on the highway network;**
- b. creates safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoids street clutter and where appropriate establishes home zones;**
- c. provides safe and suitable access and includes designs, where appropriate, that incorporate low speeds;**
- d. avoids locations where the cumulative impact of congestion or other undesirable impact on the transport network is likely to remain severe following mitigation; and**
- e. has regard, where appropriate, to the Manual for Gloucestershire Streets or any guidance produced by the Local Highway Authority that may supersede it.**

6.18 Transport considerations will be considered further below.

7.0 Material considerations – planning history and the ‘fall-back’ position

- 7.1 The current workroom premises received permission at Appeal under planning reference CD7823 on 25th July 1994, in which condition 12 stated that *“The workshops hereby approved shall not be used other than for purposes incidental to the enjoyment of the dwellinghouse as such or for purposes within B1 of the Town and Country Planning (Use Classes) Order 1987 or the equivalent class in an order revoking and reenacting that Order.”*
- 7.2 Further to this as stated above, the current use of the premises has been undertaken on site since 2001. Even without the permission granted under planning ref CD7823 the sites current commercial activities would have become lawful under the provisions of S171B of the Town and Country Planning Act 1990 through the simple effluxion of time.
- 7.3 Similarly application reference 13/05213/FUL was approved on 29th January 2014 for the separate office building to be used as a home office.
- 7.4 Accordingly there is no question that the current commercial uses undertaken on site are not unequivocally lawful. This is an important material consideration and represents a strong fall-back position.
- 7.5 The status of fall-back development as a material consideration in a planning decision is a familiar planning concept. *New Forest District Council v. Secretary of State for the Environment* [1996] and *Brentwood Borough Council v. Secretary of State for the Environment* [1996] state that decision makers must ask themselves whether there is a real likelihood or real possibility that the fall-back will be implemented, such that the prospect of implementation is real and not merely theoretical.
- 7.6 If there is a real prospect of the fall-back permission being implemented, then it is a material consideration. If it is a material consideration, the decision maker must have regard to it. The question is one of real possibility, not certainty; definitive resolution is not required.
- 7.7 It is therefore clear that there does not need to be a guarantee. Indeed, this has been updated more recently by the judgement in *Zurich Assurance Ltd (t/a Threadneedle Property Investments), R (on the application of) v North Lincolnshire Council & Anor* [2012] EWHC 3708 (Admin) (20 December 2012), which states that;
- 7.8 *“The prospect of the fall-back position does not have to be probable or even have a high chance of occurring; it has to be only more than a merely theoretical prospect. Where the possibility of the fall-back position happening is “very slight indeed”, or merely “an outside chance”, that is sufficient to make the position a material consideration. ”*
- 7.9 Fall-back has also been discussed much more recently. In the *Samuel Smith case (Samuel Smith Old Brewery (Tadcaster) v Secretary of State for Communities and Local Government* [2009] EWCA Civ 333) it was established that a “realistic prospect” of a fall back being implemented by an applicant is sufficient to influence the outcome of a planning application or appeal. The basic principle is for a prospect to be a real prospect, it does not have to be probable or likely, a possibility will suffice”.

8.0 Discussion

- 8.1 Lucy Lane Fox Ltd is a well-established business and a significant employer in a rural location providing 15 high quality jobs within walking distance of Chedworth.
- 8.2 As a result of the company's continued development its current premises are now at capacity and there is a consequent and clear need to remedy this situation in order to both allow the company to develop further and to sustain its future.
- 8.3 The proposed development is a considered and proportionate response to this identified need. The proposed workroom will release the existing workroom to provide much needed storage space. In turn the proposed workroom will provide a working environment for the company's existing employees which is uncramped and uncluttered, benefits from greater natural light and which will provide Lucy Lane Fox Ltd with the capacity to take on a greater proportion of the work which it is offered thus securing its future in Chedworth. In addition, better working conditions will encourage staff retention. The staff at Lucy Lane Fox, who are predominantly local are a highly skilled and irreplaceable asset.
- 8.4 The principle of the proposed development is sound as the company has existed on site in its current form since 2001 which constitutes a fall-back position. This proposal does not seek to materially expand the business or start a new enterprise from afresh. As a result Lucy Lane Fox Ltd's presence on site is unequivocal – it can continue on site and this presents a fall-back position as a material consideration. Allied to this, logistically there can be no question of transport or access issues pertaining to this application as this is an existing use.
- 8.5 Local Planning Policy together with the NPPF is clear in its support of this proposal. Policy EC1 supports the maintenance and vitality of the rural economy and seeks to enable more sustainable working practices. The policy also seeks to build upon the District's existing strengths (in terms of existing enterprises) through providing for sustainable economic growth. The Local Plan states that *"it will deliver this wherever possible through encouraging the growth and / or expansion of existing businesses in the District."*
- 8.6 Policy EC13 considers all types of employment generating uses and provides particular support to those which facilitate the retention or growth of an existing local employment opportunity. The policy also acknowledges and encourages the positive development of small-scale rural employment premises in appropriate locations as *"sensitive, small scale employment development helps to sustain the rural economy and create local employment opportunities"*
- 8.7 The National Planning Policy Framework also seeks to build a strong and competitive economy, explicitly stating at Paragraph 84 the need to support a prosperous rural economy through the sustainable growth and expansion of all types of business in rural areas, through the conversion of existing buildings and well-designed new buildings.
- 8.8 It is therefore clear that in principle the growth of the existing company is supported by both the Local Plan and the NPPF.

- 8.9 In terms of the use of the 'home-office' as an office to serve the business, this a matter solely of regularising the current use of the building. Policy EC6 supports the re-use of existing rural buildings. There will be no change to its character or appearance for which it already has permission.
- 8.10 In terms of the proposed development's character and appearance and its impact upon the landscape, the proposed building's position has been specifically selected to integrate it into the surrounding built form. The existing buildings at New Barn Farm have been in situ for many years and consequently it is an established feature within the landscape offering an expected mix of vernacular and modern rural buildings. The proposed development will be situated immediately adjacent to an existing range of rural buildings and will be amidst existing development. It will therefore not stand-out within the landscape.
- 8.11 In terms of design, the proposed development will nestle into its existing built form and will not be sky-lined, be overly dominant in form or impose upon key views. Its scale has been lead by the requirements of the business however it has also be informed to a significant degree by the sensitivity of the location and the need for it to complement the site's existing structures.
- 8.12 A Landscape and Visual Impact Assessment has also been undertaken which has found that the site is heavily constrained in visual terms through mature field boundaries and other mature vegetation, the area's topography, and by existing buildings. Where glimpses of the proposed building are afforded, in each case the proposed building is seen against the backdrop of the existing building (which is greater in mass, volume and scale) thus mitigating virtually entirely any visual change. Where there is change, the propose building will be seen in the existing building's place – replacing the concrete block and fibre cement appearance of the existing equestrian building with the considered timber design of the proposed soft furnishings workroom. Accordingly this proposal clearly concords with the requirements of both the Local Plan and the NPPF in terms of conserving and enhancing the AONB.
- 8.13 This proposal constitutes a real opportunity to the District. An existing and highly regarded rurally located business wishes to optimise its premises in order to take on more work, improve the working conditions of its locally based staff and safeguard its viability for the future while also continuing to provide a significant number of jobs in an otherwise employment-scarce area. This proposal concords with all relevant planning policy and should therefore be determined positively without delay.



WREYLAND

RURAL PLANNING CONSULTANTS