



| REFERENCE NO   | PARISH/WARD   | DATE RECEIVED |
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| 17/01599/APP   | THORNBOROUGH<br>The Local Member(s) for this area is/are: - | 28/05/17      |
| CONVERSION OF<br>AGRICULTURAL BUILDING TO<br>NO.4 RESIDENTIAL UNITS<br>COOMBS FARMPADBURY ROAD<br>MK18 2EB | Councillor Sir Beville D<br>Stanier Bt                      |               |
| MR & MRS DALE BURRELL  |   |               |
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### 1.0 The Key Issues in determining this application are:-

a) The planning policy position and the approach to be taken in the determination of the application.

b) Whether the proposal would constitute a sustainable form of development.

- Building a strong competitive economy
- Delivering a sufficient supply homes
- Promoting sustainable transport
- Conserving and enhancing the natural environment
- Achieving well designed places
- Making efficient use of land
- Promoting healthy and safe communities
- Meeting the challenge of climate change and flooding
- Supporting high quality communications

c) Impact on Residential Amenities

d) Developer contributions

The recommendation is that permission be **REFUSED**

### Conclusion and recommendation

1.1 The application has been evaluated against the extant Development Plan and the NPPF and the report has assessed the application against the planning principles of the NPPF and whether the proposals deliver sustainable development. Paragraph 11 of the NPPF requires that where there are no relevant development plan policies, or the policies which are the most important for determining the application are out-of-date, granting permission

unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole.

- 1.2 The development site comprises former agricultural buildings in the countryside formerly approved for four residential dwellings granted in March 2014, this permission has been implemented and as such remains extant. The current proposal seeks to convert the buildings on 3 sides of the courtyard as set out in the previous proposal together with further buildings to the 4<sup>th</sup> side (unit 4) which were previously shown to be demolished. The extent of rebuilding particularly to unit 4, adjacent storage and car parking as proposed would not be considered to represent a conversion of this building and would be contrary to the AVDLP policy RA11 and NPPF.
- 1.3 It is accepted that the development would make a contribution to the housing land supply which is to be attributed limited weight in the planning balance, as it is tempered due to the scale of development that is proposed and in the context that the Authority can demonstrate a 5 years housing supply. There would also be economic benefits in terms of the construction of the development itself and those associated with the resultant increase in population on the site to which limited positive weight should be attached.
- 1.4 The landscape impact is not identified as harmful and it is acknowledged that there would be some limited benefits from restoring the buildings and removing those which are unsightly and dilapidated but some limited impact for the introduction of unjustified development on the localised landscape.
- 1.5 Compliance with some of the other core planning principles of the NPPF have been demonstrated in terms of heritage, biodiversity, impact upon trees, flood risk and residential amenity. However, these matters do not represent benefits to the wider area but demonstrate an absence of harm to which weight should be attributed neutrally.
- 1.6 In terms of the harm the proposal results in the erection of a new dwelling (in relation to unit 4) in the countryside which will result in harm to the rural character of the area. Whilst described as a conversion, the proposal would require significant reconstruction of the existing barn and would fail to comply with policies GP35 and RA11 of the AVDLP and the advice in the 'The Conversion of Traditional Farm Buildings'. The proposed development (at unit 4) would be tantamount to a new dwelling in the countryside that would fail to satisfy the exceptions tests set out in paragraph 79 of the NPPF. This is a matter which should be afforded significant negative weight in the planning balance. In these circumstances the proposal would constitute an unsustainable and inappropriate form of development of a site situated in the countryside which has no provision and services to

support further residential growth and which would be dependent on the private car for transport. This in itself must be attributed considerable negative weight. The failure to comply with the National Planning Policy Framework and the harm caused to the rural setting significantly outweighs any benefits of the proposed development.

- 1.7 There are relevant development plan policies which are consistent with the NPPF and it is considered that the proposal conflicts with GP35, and RA11 and there are no material considerations that indicate a decision other than in accordance with the development plan.
- 1.8 It is therefore recommended that the application be **REFUSED** subject to the following reasons:-

- 1 Due to the extensive amount of rebuilding to unit 4 and the adjoining structure to facilitate the residential use, the proposal would not constitute a conversion scheme, but would be tantamount to a new dwelling in the countryside. It would conflict with policies RA11 and GP35 of the Aylesbury Vale District Local Plan and the advice contained in the council's adopted design guide 'The Conversion of Traditional Farm Buildings,' and would not comply with any of the exception criteria in Paragraph 79 of the NPPF. It would fail to comply with the NPPF objectives to recognise the intrinsic character and beauty of the countryside, and to conserve and enhance the natural environment. The proposal would constitute an unsustainable and inappropriate form of development of a site situated in the countryside which has no provision and services to support further residential growth and which would be dependent on the private car for transport, and fail to comply with the National Planning Policy Framework. It is considered that this harm would not be outweighed by the limited social and economic benefits resulting from the development.

## **2.0 INTRODUCTION**

- 2.1 The application has been brought to committee as conflicting officer advice has been provided to the applicant during the course of the application process and a S106 has been entered into by the applicant securing a financial contribution towards off site sports and leisure. The applicants were initially advised that the application was acceptable and would be likely to receive officer support. However, upon review, it was identified that the proposal would conflict with policy RA11 of the AVDLP in relation to unit 4. Following discussions between the agent and officers in light of the situation and to ensure transparency in the determination process it is considered that there is clear justification in this instance for the application to be considered by the Committee.

### **3.0 SITE LOCATION AND DESCRIPTION**

- 3.1 The site comprise a collection of vacant former agricultural buildings set around in a typical courtyard arrangement has a site area of approximately 0.48 Hectares. It consists largely of single storey dilapidated buildings.
- 3.2 To the south of the barns are the tumbled down remnants of buildings which once included a bake house and wash house, stable block, blacksmiths cottage and a smithy. The site has two vehicular accesses. The main access is from the Padbury Road to the west and the other being the shared access with the existing farmhouse off the Adstock Road. To the North and south is open countryside.
- 3.3 East is Coombs farmhouse which is around 50m from the nearest building. To the south adjacent the Padbury Road is a collection of 4-dwellings the nearest of which is around 80m from the site. The general character of the locality is that of open countryside interspersed with small pockets of residential and agricultural buildings. The nearest settlements are Thornborough around 1.5km to the north and Padbury and Adstock which are both around 2km to the south.

### **4.0 PROPOSAL**

- 4.1 Full planning permission is sought for the conversion of the existing buildings to 4 residential units (2 x 3 beds, 1 x 4 beds and 1 x 5 bed), including an annex to Unit 1, a two storey barn conversion to provide a garage with office accommodation above and storage buildings which are retained and part rebuilt along the southern boundary for ancillary storage accommodation. The main buildings around the courtyard would provide 3 residential dwellings (Units 1 to 3) and the fourth would be located along the southern boundary which includes new works / rebuilding to provide Unit 4, a detached two storey dwelling and adjacent storage and parking structures. Unit 1 is single storey with a part first floor loft accommodation in the northern corner. Unit 2 is one and a half storeys into the roof space for accommodation and Unit 3 is single storey.
- 4.2 The scheme is an amended scheme to an earlier permission granted under 12/02261/APP for the conversion of agricultural buildings to No.4 residential units. The main changes comprise
- The previously approved unit 4 would become an annexe to unit 1;
  - Unit 1 (previously unit 3) would include the retention and partial modification of a wing off, of its south-eastern corner to provide a covered seating area and storage building (previously proposed for partial demolition);

- Unit 2 would occupy the space previously proposed to be occupied by units 1 and 2 and part of the previously approved carport on its western end would become a bedroom;
- Unit 3 would occupy the western wing which was previously approved as 3 storage buildings;
- The previously approved shared bin store to the immediate southeast of unit 3 would be retained but would also have an open sided carport on its eastern side;
- The retention and conversion of the existing brick and corrugated tin building on the southern boundary as a carport and single garage with internal sheds; and
- The retention and repair of the brick structures (former smithy and cottage) to create a fourth unit and 4 storage buildings.

4.3 3 car parking spaces are arranged around the southern perimeter edge of the courtyard with a bin store adjacent to it, and located directly opposite on the south side of the access road are 5 additional parking spaces. To the east side of Unit 4 is a three space car port with a lockable garage and store to the eastern end. All dwellings have private amenity space to the rear. Existing trees are retained and additional tree planting is proposed within the site but mainly concentrated along the perimeter boundary.

4.4 Habitable room windows would orientate so as to overlook their own private gardens or shared courtyards. The application has been amended to clarify the use of the annex to unit 1 as ancillary accommodation with the kitchen removed.

4.5 The application is supported by;

- A planning statement
- A bat and owl Survey
- Supplementary supporting statement providing greater detail on the buildings, their background and historic context
- Additional supporting information providing a summary of the application background, evaluation in relation to planning policy and references to 5 examples of approved schemes
- Additional coloured plans denoting the areas of proposed new build, reuse, and extent of existing walls to unit 4

## **5.0 RELEVANT PLANNING HISTORY**

5.1 12/02261/APP - Conversion of Agricultural Building to No.4 residential units – Approved

5.2 12/A2261/DIS - Submission of details pursuant to Condition 2 (materials) and 11 (hard & soft landscaping) relating to planning permission 12/02261/APP – Part approval.

## **6.0 PARISH/TOWN COUNCIL COMMENTS**

6.1 Thornborough Parish Council has confirmed that they have no comment on the application.

## **7.0 CONSULTATION RESPONSES**

- 7.1 BCC Highways: No objection subject to conditions.
- 7.2 BCC Education – As the application is below the threshold of 11 units an education contribution is not required.
- 7.3 Biodiversity - No objection subject to conditions.
- 7.4 Environmental Health: Confirmed that they do not have any comments on this application. No air quality or land contamination issues are considered relevant.
- 7.5 Leisure – Confirm that off-site leisure contribution in line with the Council's 'Ready Reckoner' formula is required through a S106 agreement. Appropriate projects have been identified in consultation with the Parish Council.

## **8.0 REPRESENTATIONS**

- 8.1 Comments have been received from the Local Member Councillor Sir Beville Stanier confirming that he has now had the opportunity to discuss this with Thornborough parish Council and they confirmed to him that they are in favour of this application and he has confirmed his support of the application .
- 8.2 No representations have been received on this application.

## **9.0 EVALUATION**

### ***a) The planning policy position and the principle of conversion for residential use.***

- 9.1 Members are referred to the Overview Report before them in respect of providing the background information to the Policy. The starting point for decision making is the development plan, i.e. the adopted Aylesbury Vale District Local Plan (and any 'made' Neighbourhood Plans as applicable). S38(6) of the Planning and Compulsory Purchase Act 2004 requires that decisions should be made in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG) are both important material considerations in planning decisions. Neither change the statutory status of the development plan as the starting point for decision making but policies of the development plan need to be considered and applied in terms of their degree of consistency with the NPPF.
- 9.2 Thornborough has not designated a neighbourhood area nor has a made or emerging neighbourhood plan.
- 9.3 A number of general policies of the AVDLP are considered to be consistent with the NPPF and therefore up to date so full weight should be given to them. Consideration therefore needs to be given to whether the proposal is in accordance with or contrary to these policies. Those of relevance are GP.8, GP.24, GP.35, GP38 – GP.40, GP.45, GP.86-GP.88.

9.4 The application site is located in the open countryside, outside a defined settlement. Policy RA11 of the AVDLP advises that outside settlements, the Council will endorse the re-use of buildings subject to a number of criteria to form dwellings if a commercial re-use of the building is proven to be unviable or unsuccessful. However, this policy pre-dates the National Planning Policy Framework (the Framework) which does not require an economic use to be considered first before a residential use. Consequently, this aspect of Policy RA11 is not entirely consistent with the Framework.

b) **Whether the proposal would constitute a sustainable form of development.**

9.5 The most up to date national policy is set out in the NPPF published in July 2018. At the heart of the NPPF is the presumption in favour of sustainable development (paragraph 11) in both plan-making and decision-taking.

9.6 The NPPF states at paragraph 8 identifies that there are three objectives to sustainable development: economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives).

9.7 These objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area (paragraph 9).

9.8 The Government's view of what "sustainable development" means in practice is to be found in paragraphs 7 to 211 of the NPPF. Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

9.9 The presumption in favour of sustainable development in decision-taking is explained at paragraph 11 of the NPPF. Plans and decisions should apply a presumption in favour of sustainable development.

9.10 For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or



d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed<sup>6</sup>; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

9.11 Policy RA11 also requires that buildings to be converted are of permanent and substantial construction, do not involve major reconstruction or significant extensions and should respect the character of the building and its setting. These aims closely align with the overarching objectives of the Framework, to sustainable development: economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). Furthermore, the NPPF advises that planning decisions should contribute to the natural and local environment by amongst matters recognising the intrinsic character and beauty of the countryside and should therefore be afforded material weight in the assessment of this application. Similarly, they are broadly consistent with one of the special circumstances cited in paragraph 79 of the Framework, that where development would re-use redundant or disused buildings and enhance its immediate setting.

9.12 Paragraph 78 of the NPPF states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support local services. Paragraph 79 states that planning decisions should avoid the development of isolated homes in the countryside unless one or more of the identified circumstances apply which includes inter alia where the development would re-use redundant or disused buildings and enhance its immediate setting.

9.13 With regard to the requirement in Policy RA11 for a commercial use to be considered first, the applicant had provided information to support the 2012 application regarding the marketing of the site for a commercial use and it was considered that the premises have been adequately marketed for commercial purpose but to no avail, and it is considered that this is a material consideration. The property has remained vacant since that time. The NPPF imposes no presumption in favour of commercial re-use (para 79), and appeal decisions have accepted that this part of the policy does not accord with the NPPF. In view of this, it is considered that a residential conversion is acceptable in principle.

9.14 Turning to the second part of policy RA11 relating to the extent of rebuilding, extension and alterations, the majority of the conversions (in relation to units 1-3) can be achieved without substantial re-building of the main bodies of the buildings.

9.15 In this instance there are a number of new works and rebuilding proposed indicated on the amended plans including :

- roof structures will need to be replaced to all of the buildings
- new internal walls
- infill development to the northern part of unit 3 joining onto unit 2
- new work to provide covered garaging to serve unit 3
- infill and new wall to the covered area for seating to the east of unit 1
- Infill of existing large opening to south side of unit 2 and car port structures
- Unit 4 would include rebuilding of the external walls at both ground and first floor level (as this is a collapsed former structure, with the limited remains only of the existing southern, western and eastern walls), new internal walls, new first floor and new roof. The “existing” plans show this as a dangerous structure.
- Re building works to the existing open barn to the east of unit 4
- Rebuilding of the storage buildings to the west side of unit 4

9.16 The proposed conversion of units 1-3 relate to traditional brick buildings varying from single to two storeys in height. The proposal seeks to make good use of the existing openings and the creation of new openings would be kept to a minimum in the conversion and whilst infilling of an open sided barn is proposed, no extensions of the buildings are proposed. Consequently, in line with the advice contained in “The Conversion of traditional Buildings” design guide, much of the existing traditional agrarian appearance of the buildings to be converted in to units 1-3 would be retained. Overall, the proposal continues to reflect the earlier approved scheme in the main and in respect of units 1-3 is considered to accord with policy RA11 and GP35 of the AVDLP.

9.17 Turning to the proposal in relation to unit 4. The retention of the buildings on the southern boundary in this proposal is the main difference to the previous approval. It is noted that in the assessment of the earlier applications on this site, identified at both pre-application and formal application stage that these buildings were contrary to policy RA11 of the AVDLP. The delegated report, following public representations, for application 12/02261/APP addressed this matter stating that;

“Objections have been received regarding the loss of what are considered to be important heritage assets. However, these buildings are either a modern Dutch steel framed barn which is not appropriate for residential conversion, or in a very poor state of repair being not much more than remnants incorporated into more modern corrugated tin roofed agricultural buildings or pretty much reduced to rubble. The argument forwarded is that

these buildings are the remnants of historic farm/stable buildings which are important to the history of the development of Coombe and that they should be re-built as part of the scheme of conversion. This matter has been discussed with an historic buildings officer who have advised that the buildings are not listed and do not appear to be buildings that would normally merit listing. They have also discussed the matter with one of the neighbours and advised them if they consider them to be worthy of listing, then they should contact English Heritage who are responsible for such matters. As far as including the buildings into the scheme of conversion, the buildings would either need to be completely re-built or in the case of the open sided Dutch barn with its completely open sided nature, does not lend itself to conversion. Therefore their inclusion into the scheme would be contrary to policy RA.11. Consequently, there is not considered to be any planning policy justification for the re-building of these former structures.”

- 9.18 The earlier application was supported by a structural survey, undertaken by Lambert Smith Hampton dated 2011. In relation to the buildings to which unit 4 relates, the report identified that the buildings (identified as buildings 6 and 7) comprises 2no. partially collapsed former cottage structures formed in one brick thick external walls. No roof structure was present. There was 1 no. timber framed timber window frame and 1 no. timber framed door opening to Building 6.
- 9.19 The report had no record of information relating to the substructure of the building at the time of inspection and therefore was unable to confirm the type of substructure or foundations present.
- 9.20 In terms of the external inspection the report identified that the building is partially collapsed with sections of wall missing to all elevations. The roof and first floor structures have collapsed inwards and are beyond repair. The building was noted as being generally in an extremely poor condition and identified the following comments and observations:
- The previous timber roof structure has collapsed into the property. No rainwater goods present to the property.
  - The external brick walls are partially collapsed to all elevations and generally unstable to the remaining portions.
  - The brickwork chimney stack appears generally unstable with extensive cracking to the brickwork and mortar jointing and is in very poor condition and heavily stained.
  - The structure is overgrown with trees and shrubbery, some of which are noted to be growing through the concrete floor within the property.
  - The remaining timber window and doors frames are decayed and are generally distorted as a result of the failure of the timber lintels.

- 9.21 In relation to the internal inspections the report identified that the roof structure is collapsed with remains of timber structure and covering present within the property and the remaining internal walls have a painted plaster finish. The internal areas were generally in very poor condition and the report provided the following comments and observations:
- There is no roof covering to the property or insulation to the structure internally.
  - The internal plaster finishes are blown from the surface of the brickwork in a number of areas and in generally poor decorative condition.
- 9.22 The current application is not accompanied by a revised structural report, however, it is noted that the existing plans submitted with the application identify the buildings as dangerous structures. Following discussions with the agent, additional information has been submitted in support of the application, providing coloured plans for unit 4. These drawings clearly identify the extent of the existing remaining structure and identify that there is limited structures remaining in place. Whilst the plan denotes that there is no new build, this is identified in relation to new structures beyond the original footprint of the building. Furthermore, the submitted information identifies the percentage of reuse across all the units proposed concluding that only 23% of the proposal would amount to reconstruction and does not consider each building or unit proposed in isolation. This approach is not in line with the interpretation and application of the requirements of policy RA11 of the AVDLP.
- 9.23 RA11 requires that buildings to be converted are of permanent and substantial construction, do not involve major reconstruction or significant extensions. The Design Guide expands further on what is acceptable. It states that conversion schemes should be true conversion schemes retaining the existing structure without significant re-building or extension. Re-building should be avoided, as much of the original structure should be retained as possible. In this instance the plans identify the limited extent of the existing structure, and do clearly identify a significant amount of reconstruction would be required to facilitate the development sought. Furthermore, the proposal seeks the provision of adjoining structures (for the provision of car parking and storage) to facilitate the residential use.
- 9.24 Given the findings in the earlier structural survey and those works identified in the supporting information, clearly indicating the need to replace or substantially rebuild all the walls and roofing as very little of the structure remains of the proposed unit 4, there are significant concerns that the building is not of substantial construction and would require significant re-construction in conflict with policy RA11.
- 9.25 In light of the above, it is considered that the percentage of the existing structure (at unit 4) capable of supporting the request to convert to domestic property is extremely limited. For

the application to be considered as a conversion this would require to involve 50% or more of the original structure, through the rebuilding of the majority of the walls, the introduction of a new first floor and roof structure and covering and the erection of new storage buildings and covered parking and storage building to the side of the proposed dwelling. In this situation it is considered that there is insufficient structure to convert. In these circumstances the scheme would not be considered as a conversion scheme but instead would constitute new development and therefore a new dwelling in the countryside.

- 9.26 For the above reasons, it is concluded that the works required to provide a self-contained dwelling would clearly introduce a new dwelling in the open countryside which paragraph 79 of the Framework seeks to avoid unless there are special circumstances. The applicant argues that the reuse and restoration of the barns to the south of the site, would provide enclosure and privacy from the surrounding countryside, to the benefit of the security of the occupants of the dwellings, however this is not considered to be a special circumstance to warrant the extent of works proposed.
- 9.27 In order to provide some context to the application the agent has provided, within the supporting information, a number of previously approved barn conversion schemes and identify in their opinion what degree of rebuilding /extension was considered acceptable in those instances. Members will of course be aware that it is necessary to determine planning application on their own merits in light of the policy position at the time of consideration. In light of the sensitives of this application, Officers have reviewed and considered carefully the additional information provided and cases cited, and have the following observations to make.
- 9.28 The initial example relates to a barn conversion scheme from 2007 (07/01345/APP), the report indicates that 65% of the original structure, notwithstanding the need for a new plinth wall to be constructed, would be reused.
- 9.29 The second example relates to an application in Oving from 2017 (17/00216/APP), which sought permission for the conversion of a single storey barn and more substantial stone former farmhouse to provide a 4-bedroom dwelling. The conversion scheme proposed the addition of a modest glazed structure (measuring 1.5m by 1.8m) linking the two structure and the rebuilding of a small gable addition and a lean-to element to the former farmhouse. The application was supported by a structural survey and the report acknowledges that there was some structural work required and concluded that proposed buildings were structurally sound and suitable for conversion.
- 9.30 The third example relates to an application in Oving from 2005 (05/00823/APP). The delegated report acknowledges that the proposal involves the removal and rebuilding of the small south-western wing, the replacement of timber cladding and the re-roofing of the

buildings which is to be expected as part of a conversion and concluded that these works were not considered to represent substantial rebuilding or extension of the premises. Overall, the report acknowledged that the appearance of the proposal is that of a sympathetically designed conversion, which retains the simple traditional form and appearance of the building in accordance with the design guide.

9.31 The fourth example relates to a site in Oving from 2005 (05/02023/APP). The application was an amendment to an earlier approval, 03/02718/APP, and involved the creation of access ways between both of the barns and the two storey element, thus creating three detached units. The original barn conversion in this instance pre-dates the current policy and is not considered relevant in this instance.

9.32 The final example relates to a site in Botolph Claydon in 2015 (15/02015/APP). The proposal sought permission for the conversion of three barns to create 3, 3-bed dwellings and the erection of a 6 - bay garage block. The conversions also involve single-storey rear extensions to all three barns which would re-introduce historic wings. The officer report states that based on the structural survey and information provided in the application and a visual inspection of the existing buildings, it is considered the buildings are capable of conversion without substantial rebuilding or significant alteration. The report continues that the buildings were capable of conversion with limited repair and the alterations to the building are not significant ,with good use being made of the existing openings, however it is acknowledged that modest dormer additions, the introduction of a new garage building, and the building of the rear wings to plots 2 and 3. In this instance it was considered that the alterations proposed would contribute to the overall appearance of the group of buildings and reinstate the original model farm layout.

9.33 None of the examples cited relate to building(s) with such limited remaining structures as is the case in this instance and as such it is not considered that the identified schemes are entirely comparable to the application for consideration. Furthermore, three examples post date the NPPF, being in 2005 and 2007.

9.34 Paragraph 78-79 of the Framework states that:

To promote sustainable development in rural areas housing should be located where it will enhance or maintain the vitality in rural communities. For example where there are groups of smaller settlements development in one village may support services in village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances.

9.35 In terms of its broader location, the site lies outside the village of Thornborough in open countryside. The recent planning permission granted in March 2014 (12/02261/APP) for the conversion of the existing buildings into 4 dwellings is material to the application. The

principle of development had previously accepted the conversion as sustainable, given the compliance with policy RA11 of the AVDLP and circumstances have not changed to alter this conclusion in relation to units 1-3.

9.36 However, in relation to Unit 4, the site is outside the village of Thornborough within the open countryside and remote from services. Thus the occupiers of the new dwelling (at unit 4) would be reliant on the private motor vehicle to access goods and services. For the above reasons it is concluded that the proposal would introduce an isolated new home in the countryside which Paragraph 79 seeks to avoid unless there are special circumstances.

9.37 Consequently, it is considered that whilst the proposal for units 1-3 is in line with the advice contained in "The Conversion of traditional Buildings" design guide, much of the existing traditional agrarian appearance of the buildings would be retained, and for unit 4 the proposal would conflict with RA11 of the AVDLP, the Design Guide on Conversion of Traditional Buildings and the NPPF which should be afforded significant negative weight in the planning balance.

9.38 The proposal will need to be considered not only in terms of its impact on the localised site and surroundings but also in terms of the wider capacity of the town to accept further population growth, having regard to its impact on the infrastructure and local services. These issues are considered in more detail under the headings below.

#### ***Build a strong competitive economy***

9.39 The Government is committed to securing and supporting sustainable economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. Paragraph 80 of the NPPF states that planning policies and decisions should help to create the conditions in which businesses can invest, expand and adapt.

9.40 It is considered that there would be economic benefits to the scheme which would include creation of temporary construction jobs as well as creating of demand for local suppliers of goods and services from the small increase in the population brought about by the development that would contribute to economic growth. It is considered that these benefits would be limited given the small scale nature of the development.

#### ***Deliver a wide choice of high quality homes***

9.41 The conversion of these buildings would make a contribution to the housing supply although this is tempered by the small scale so that it would be regarded as a limited benefits

- 9.42 There is no reason that the site could not be delivered within the next five year period making a contribution to housing land supply, with its uncomplicated access and being largely greenfield with a single bungalow and disused barns.
- 9.43 In supporting the Government's objective of significantly boosting the supply of homes, paragraph 61 states that within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes.
- 9.44 The mix and type of dwellings comprise 2 x3 beds, 1 x 4 beds and 1 x 5 bed units. The housing mix proposed include larger family homes when compared to the previously approved housing mix of 1 x 1 bed, 1 x 2 bed and 2 x 3 beds. The housing mix is skewed towards larger homes, which does not align with the Housing and Economic Development Needs Assessment (HEDNA), which underpins the emerging VALP housing mix policy. The HEDNA recommends a market mix of 5% 1 beds, 30% 2 beds, 45% 3 beds and 20% 4 beds. However, while the HEDNA forms the evidence base there is no adopted housing mix policy that carries full weight and it is not considered that the proposal can be refused based on housing mix.
- 9.45 In respect of affordable housing the scheme does not meet the thresholds for securing such provision on site as outlined in AVDLP policy GP2 which refers to the provision of 25 dwellings or more or a site area of 1ha or more.
- 9.46 Notwithstanding the implications of housing mix, there is no reason to expect that the site could not be delivered within the next five year period making a limited contribution towards the supply of deliverable housing land in the District which would be a significant benefit but tailored by the modest number of units and this consideration should be afforded limited weight in the planning balance given the small scale of the development and in the current context of being able to demonstrate a 5 YHLS.

***Promoting sustainable transport;***

- 9.47 It is necessary to consider whether these developments are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised, taking account of the policies in the NPPF. Paragraph 108 requires that in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that appropriate opportunities to promote sustainable transport modes can be taken up, safe and suitable access to the site can be achieved and that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable



degree. Paragraph 109 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

- 9.48 As noted above, Thornborough is considered to be a moderately sustainable location for development, this application site is however located well outside the main built up limits of the settlement. The development will be served by a single vehicular point of access off Padbury Road and the County Highway authority considers the site is remote from the village of Thornborough, remote from local services, footpaths and public transport links. It is concluded that the site is not considered sustainable in transport and accessibility terms in the context of the requirements of the NPPF and occupants would be reliant on the use of the private motor vehicle.
- 9.49 However, it is also recognised that other policies of the Framework support the principle of farm diversification and that accessibility to non-car modes will not be as good in rural areas. The principle of development at units 1-3 has been established and there is no material change in this position. However, the introduction of a new dwelling (in relation to unit 4), in conflict with RA11 and the guidance contained in paragraph 79 of the NPPF, would constitute a new dwelling in the countryside. The location is unsustainable in this respect and in a location where all services would have to be accessed by car. This in itself must be attributed considerable negative weight in the balance.
- 9.50 The highway authority does not raise an objection to the proposed access arrangements serving the site subject to the imposition of conditions.
- 9.51 Policy GP24 of AVDLP requires that new development accords with published parking guidelines. SPG1 "Parking Guidelines" at Appendix 1 sets out the appropriate maximum parking requirement for various types of development.
- 9.52 The submitted parking layout plan (drawing no.P01 Rev G) show 12 dedicated on-site car parking spaces across the site to meet the requirement of 10 spaces for the mix of dwellings proposed in accordance with the Council's SPG1. The total parking provision including 2 visitor spaces is therefore considered to comply with AVDLP Policy GP.24 and this factor should be afforded neutral weight in the overall planning balance.

### **Conserving and enhancing the natural environment**

- Landscape impact

- 9.53 The NPPF at paragraph 170 states that planning policies and decisions should contribute to and enhance the natural and local environment. A principle of this is recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it. Development proposals should contribute to and enhance the natural and local

environment through protecting and enhancing valued landscapes and geological interests, minimising impacts on biodiversity and providing net gains and preventing any adverse effects of pollution.

9.54 Policy GP35 of AVDLP requires new development to respect and complement the physical characteristics of the site and surroundings; the building tradition, ordering, form and materials of the locality; the historic scale and context of the setting; the natural qualities and features of the area; and the effect on important public views and skylines respect landscape and local character.

9.55 The site is not located within a specific landscape designation and the present appearance of the site is a dilapidated collection of former agricultural buildings which are considered to detract from character and appearance of the countryside. The proposed conversion of units 1-3 would bring the buildings back into beneficial use and complement its setting within the open countryside.

9.56 The existing structures are not considered to comprise a heritage asset and have been concluded to have no heritage merit. The buildings are not listed and are not considered to be buildings that would normally merit listing. However, it is noted that the site is well screened and the new development would be seen in the context of units 1-3 and as such the proposal would only have a limited impact on the localised site and would not result in harm to the wider landscape setting. In relation to Unit 4, this would introduce a significant new dwelling in the countryside without any special justification and as such would introduce unwarranted development within a countryside location contrary to GP35 of the AVDLP and to this limited adverse weight should be attached. .

- *Trees and hedgerows*

9.57 Policies GP39 and GP40 of the AVDLP seek to preserve existing trees and hedgerows where they are of amenity, landscape or wildlife value. There are trees and hedgerows encompassing part of the site, which is primarily on the northern western and south-eastern boundary with a sporadic sprinkling elsewhere on the site. The proposal would retain existing trees and limited hedgerow along the north western boundary and along part of the southern boundary along the access road in to the site. New trees are proposed along the rear (eastern) boundary to the adjacent Coombs Farm house and barns. Additional tree planting within the site to the rear of unit 3 is proposed, details of which could be conditioned for further approval.

9.58 The landscaping proposals are considered acceptable to retain and enhance existing landscaped features and accord with GP.38, GP.39 and GP40 and relevant NPPF advice and this factor should therefore be afforded neutral weight in the planning balance.

- *Biodiversity*

- 9.59 The NPPF at Section 15 'Conserving and enhancing the natural environment advises at Paragraph 170 that the planning system should contribute to and enhance the natural and local environment by, among other things, protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or quality) and minimising impacts on and providing net gains for biodiversity.
- 9.60 The application is supported by ecological reports relating to bat survey and habitat reports which have been considered by the Council's Ecologist, who concludes that they are acceptable. It found that bats have roosted in the occasional buildings previously but the evidence is likely to be more than 4 years old and so no recent evidence has been found. Barn owl presence shows evidence that this species roosted some years back but no concrete evidence of more recent presence and no nests were found. No objection is raised by the AVDC ecologist to the proposal subject to conditions. It is therefore considered that the proposal would not have an adverse impact on biodiversity to accord with the NPPF. Overall, it is afforded neutral weight in the planning balance.

### ***Achieving well designed places***

- 9.61 The NPPF in section 12 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 9.62 Planning policies and decisions should ensure that developments will function well and add to the overall quality of the area over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, This aim is reflected in Policy GP35 of the AVDLP which requires development to respect and complement the physical characteristics of the site and the surroundings, the building tradition, ordering, form and materials of the locality, the historic scale and context of the setting, the natural qualities and features of the area and the effect on important public views and skylines.
- 9.63 Policy RA11 also seeks to ensure appropriate design treatment for the conversion of rural buildings as does the design guide Conversion of Rural Buildings. Policy RA11 seeks that conversion works should not require major reconstruction or significant extension. The Design Guide expands further on what is acceptable. It states that conversion schemes should be true conversion schemes retaining the existing structure without significant re-building or extension. Re-building should be avoided, as much of the original structure should be retained as possible. Farm buildings are operational structures generally without

ornament or symmetry and have a functional simplicity which is part of their appeal. Changes to the roof slope, amendments to the eaves line and the addition of porches or bay windows will contribute to complexity and a loss of original character. Furthermore window and door openings should be kept to a minimum. These objectives closely align with the principles of the Framework to secure high quality design and recognise the intrinsic character and beauty of the countryside

- 9.64 None of the buildings are listed and the site is not within the conservation area. The buildings to be demolished are not of any heritage significance.
- 9.65 In relation to units 1-3, in line with the earlier permission, good use is to be made of the existing openings and the creation of new openings would be kept to a minimum and no significant extensions of the buildings is proposed. Consequently, it is considered that this aspect of the proposal is in line with the advice contained in "The Conversion of traditional Buildings" design guide, much of the existing traditional agrarian appearance of the buildings would be retained. The end result in respect of units 1-3 would be the sensitive conversion of a group of traditional agricultural buildings which would make a positive contribution to the rural character of the locality. Notwithstanding the fundamental issues identified in relation to unit 4, the proposed design of unit 4 seeks to follow the appearance of the existing structures on site and as such there are no specific objections raised to the design approach sought as required by the NPPF and afforded neutral weight.

### **Making effective use of land**

- 9.66 Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land. Planning decisions should take into account the identified need for different types of housing and other development, local market conditions and viability, infrastructure requirements, maintaining the prevailing character and setting, promoting regeneration and securing well designed, attractive and healthy places.
- 9.67 Paragraph 122 of the NPPF relating to achieving appropriate densities states that in supporting development that makes efficient use of land, it should take into account of the importance of the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it.
- 9.68 The proposed scheme would contribute to the housing supply of the District which represents an effective use of the land in policy terms; however, the conflict of unit 4 with

policy RA11 of development is such that it would result in the introduction of a new dwelling in the countryside and unsustainable contrary to paragraph 79 of the NPPF.

9.69 As such, whilst the proposal would make a limited contribution to housing supply, the proposal would fail to comply with policy RA11 (in relation to unit 4 only).

### ***Promoting healthy and safe communities***

9.70 Policies GP86-88 and GP94 seek to ensure that appropriate community facilities are provided arising from a proposal (e.g. school places, public open space, leisure facilities, etc.).

9.71 Decisions should aim to achieve healthy, inclusive and safe places, promoting social interaction, safe and accessible development and support healthy life-styles. This should include the provision of sufficient choice of school places, access to high quality open spaces and opportunities for sport and recreation and the protection and enhancement of public rights of way, and designation of local spaces.

- *Leisure*

9.72 AVDLP policy requires that new housing proposals should include sufficient outdoor play space to meet requirements associated with the development. The scale of the proposal does not warrant the provision of public open space or a LEAP on site. However, to mitigate off site demands on local leisure facilities in Thornborough a financial contribution is agreed for local facilities identified as improvements and/or refurbishment of Thornborough Village Hall and/or Thornborough Sports Pavilion, Sir Henry Moore Playing Fields, in accordance with the Council's Ready Reckoner formula which accords with GP.86-88 and GP.91.

- *Education*

9.73 Buckinghamshire County Council has confirmed that a financial contribution is not required from this proposal.

9.74 Overall, it is considered that the development would adequately address the aims of the NPPF to achieve healthy and safe communities and the requirements of AVDLP policies GP86-88 and as such, it is considered this factor should be afforded neutral weight in the planning balance.

### **Meeting the challenge of climate change and flooding**

9.75 Developments will need to demonstrate resilience to climate change and support the delivery of renewable and low carbon energy. This will not only involve considerations in terms of design and construction but also the locational factors which influence such factors. Development should be steered away from vulnerable areas such as those subject

to flood risk whilst ensuring that it adequately and appropriately deals with any impacts arising.

- 9.76 The site is not located within a known flood zone. The proposed dwellings would be required to be constructed to modern standards of design and sustainability to accord with current building regulations. Details of surface water and foul drainage can be secured by condition.
- 9.77 Overall it is considered that the proposed development would be resilient to climate change and flooding and this factor should therefore be afforded neutral weight in the planning balance.

### **Supporting high quality communications**

- 9.78 Paragraph 114 of the NPPF requires LPA's to ensure that they have considered the possibility of the construction of new buildings or other structures interfering with broadcast and electronic communications services.
- 9.79 Given the location of the proposed development, and bearing in mind that they would be in the most reusing existing buildings (with the exception of unit 4), it is considered unlikely for there to be any adverse interference upon any nearby broadcast and electronic communications services as a result of the development.
- 9.80 It is therefore considered that the proposal would accord with the guidance set out in the NPPF, and this factor is afforded neutral weight in the planning balance.

### **(c) *Impact on residential amenity;***

- 9.81 Policy GP8 of AVDLP seeks to protect the residential amenity of nearby residents while a core planning principle of the NPPF also seeks to ensure a good standard of amenity for all existing and future occupants of land and buildings. It is important that any scheme respects the residential amenities of existing properties and the future occupants of the proposed development.
- 9.82 The nearest residential neighbour is the Coombs Farm House to the east which is located approximately 50m from the southern boundary of the site and unlikely to be affected in amenity terms, given the gap. The nearest dwellings to the south on Padbury Road are approximately 80m away and they are unlikely to be impacted in amenity terms.
- 9.83 The spacing and orientation of properties within the proposed scheme would have a minimum facing distance of between 21 to 23m across the courtyard which is considered acceptable in this instance given the nature of the proposed development for barn conversion. Unit 4 would face the side of Unit 1 across the access road with a distance of 9m with a single high level window to the side of Unit 1 facing the former. But the side window is obscured up to 1.7m above internal floor level would not directly face any

habitable room windows within Unit 4 at ground or first floor level and considered acceptable in the proposed arrangement across the access road which would also provide natural surveillance.

- 9.84 Given the above, no adverse impact is envisaged for the amenity of future occupiers of the proposed development with regard to light, outlook and privacy. The scheme proposed would provide good levels of light and outlook. The proposed dwellings would also provide private rear gardens with minimum depths exceeding 10m with the exception of Unit 4. However, the latter would look out over open countryside from the rear which is the existing situation, and considered acceptable in this instance.
- 9.85 It is therefore concluded that the proposal would accord with policy GP8 of AVDLP and relevant advice contained in the NPPF

***d) Developer contributions***

- 9.86 As noted above, a number of requirements need to be secured in a Planning Obligation Agreement to secure a financial contributions towards off-site sport and leisure provision has been agreed and the S106 agreement has been completed.
- 9.87 It is considered that such requirements would accord with the Community Infrastructure Levy (CIL) Regulations 2010. Regulation 122 places into law the Government's policy tests on the use of planning obligations. It is now unlawful for a planning obligation to be taken into account as a reason for granting planning permission for a development of this nature if the obligation does not meet all of the following tests; necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development.
- 9.88 In the context of this application the development is in a category to which the regulations apply. The requirement for all of the above named measures, if the proposals were to be supported, would need to be secured through a Planning Obligation Agreement. These are necessary and proportionate obligations that are considered to comply with the tests set by Regulation 122 for which there is clear policy basis either in the form of development plan policy or supplementary planning guidance, and which are directly, fairly and reasonably related to the scale and kind of development. Specific projects are to be identified within the Section 106 in accordance with the pooling limitations set forth in CIL Regulation 123 to ensure that the five obligations limit for pooled contributions is not exceeded.