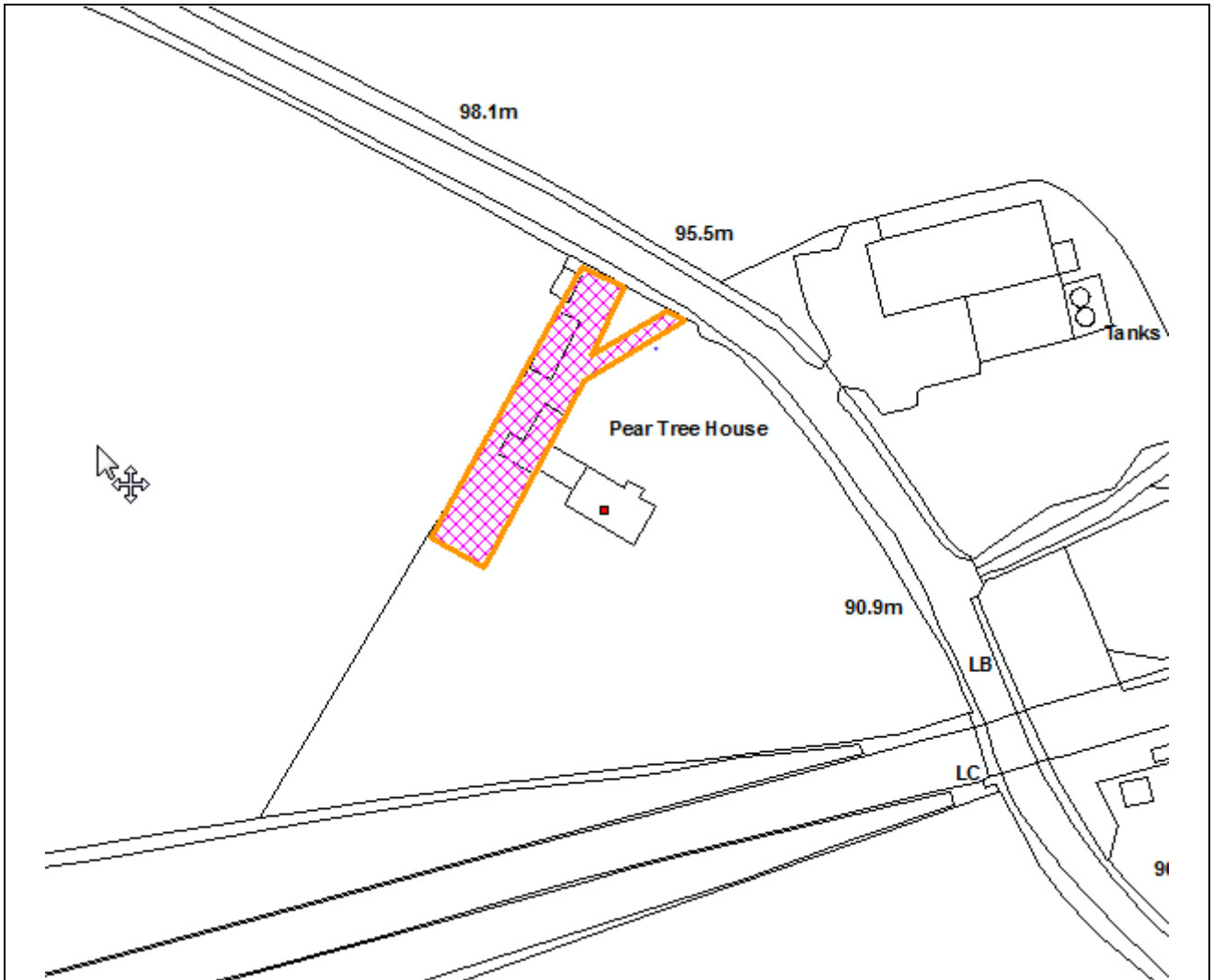


18/00190/APP



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REFERENCE NO	PARISH/WARD	DATE RECEIVED
18/00190/APP	STEEPLE CLAYDON The Local Member(s) for this area is	16/01/18
CONVERSION OF BARN TO FORM RESIDENTIAL DWELLING PEAR TREE HOUSE, QUEEN CATHERINE ROAD, MIDDLE CLAYDON MK18 2ER MRS D RICHARDSON  STREET ATLAS PAGE NO. 63		

**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.**

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

**c) Impact on Residential Amenities**

The recommendation is that permission be **GRANTED**, subject to conditions

## 2.0 CONCLUSION AND RECOMMENDATION

- 2.1 The application has been evaluated against the extant Development Plan which is the starting point for all decision making. The Development Plan comprises of the Steeple Claydon Neighbourhood Plan and the saved policies of the Aylesbury Vale District Local Plan (AVDLP). The report has assessed the application against the planning principles of the NPPF and whether the proposals deliver sustainable development.
- 2.2 In this case the Steeple Claydon Neighbourhood Plan (SCNP) was made on 15 December 2017 and is attributed full weight in the determination of this application as the proposed development falls within the defined neighbourhood plan area. As such, the most important policies within SCNP and AVDLP for determining this application are not out-of-date and therefore in accordance with paragraph 11 of the NPPF, development proposals that accord with an up-to-date development should be approved without delay. In this case there is a made neighbourhood plan, the Steeple Claydon Neighbourhood Plan and therefore it must be considered whether the proposal accords with the development plan.
- 2.3 Whilst this is noted, in accordance with paragraph 12 of the NPPF, 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.
- 2.4 The proposal falls outside the designated Steeple Claydon settlement boundary as defined by SC1 and the policies map. Policy SC1 in the SCNP identifies the types of the development which would be supported outside of the defined settlement boundary. The proposed development for the re-use of redundant or disused buildings is only supported in Policy SC1 in connection with the growth and expansion of a business, not residential which is being proposed and therefore the proposal conflicts with the development plan. In addition policy RA11 of AVDLP requires the re-use of the buildings for commercial buildings to be explored before residential. Both policies in respect to this matter are not entirely consistent with the NPPF which does not require an economic use to be considered first before a residential use. which is a material consideration in the determination of this application. In this instance, NPPF would material consideration in the determination of the application and the proposed development would comply with NPPF guidance.
- 2.5 The proposed development would contribute to the housing delivery and there would be economic benefits in terms of the construction of the development and the associated contribution to the local economy. The application is considered to be acceptable in highway terms and compliance with the other objectives of the NPPF have been demonstrated or could be achieved in terms of impact on trees, ecology, healthy and safe communities, design, historic and natural environment. However, these matters do not represent benefits to the wider area but demonstrate an absence of harm to the extent that the development would not be contrary to the development plan or the aims of the NPPF.
- 2.6 The proposal accords with the other relevant policies in the SCNP and AVDLP, namely policy SC8 of the Steeple Claydon Neighbourhood Plan, Policies GP8, GP24, GP35, GP38, GP39, GP40 and RA11 of the AVDLP and the NPPF as a whole. Given this, it is considered that there are material considerations which indicate a decision not strictly in accordance with SCNP policy SC1 . It is therefore necessary to treat this as a departure from the development plan and this has been advertised accordingly.
- 2.7 Given the above assessment, in this instance there are material considerations that indicate a decision other than in accordance with the development should be taken and as such it is recommended that the application be **GRANTED** subject to the following conditions:

1. STC5

Reason: RE03 – To comply with Town and Country Planning Act and Section 51 of Planning and Compulsory Purchase Act.

2. AMP1\* DR/CH/02 Rev C and DR/CH/03 Rev C\*\* Received by the Local Planning Authority on the 231st December 2018\* \*Under cover of the Agent's e-mail dated 21st December 2018\*

Reason: For the avoidance of doubt and to ensure that the details of the development are acceptable to the Local Planning Authority and to comply with policies SC8 of the SCNP, policies GP35 and RA8 of the AVDLP and the National Planning Policy Framework.

3. The materials to be used in the development shall be as indicated on the approved plans/application forms.

Reason: To ensure a satisfactory appearance to the development and to comply with policies SC8 of the SCNP, GP35 and RA8 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework

4. LDS 4

Reason RE14 and to comply with policy GP38 of the AVDLP

5. LDS5

Reason: RE14 and to comply with policy GP38 of the AVDLP

6. No demolition or alteration of any existing building or any part of any existing building shall take place other than the demolitions or alterations shown on the approved drawings.

Reason: To secure the retention and reuse of existing buildings and to prevent the proliferation of new built development in the countryside, to safeguard the character and appearance of the area and to accord with SC8 of the SCNP, policies GP35 and RA11 of the Aylesbury Vale District Local Plan and the advice in the National Planning Policy Framework

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no enlargement of any dwelling nor the erection of any garage shall be carried out within the curtilage of the dwelling the subject of this permission and no buildings, structures or means of enclosure shall be erected on the site which is the subject of this permission other than those hereby approved.

Reason: In order to safeguard the amenities of the area by enabling the Local Planning Authority to consider whether planning permission should be granted for extensions of the dwelling or outbuildings and other development having regard for the particular layout and design of the development in accordance with policies SC8 of the SCNP, policies RA11, GP8 and GP35, of the Aylesbury Vale District Local Plan, and the guidance set out in the NPPF.

8. No external window or door openings other than those shown on the approved drawing No DR/CH/02 Rev C shall be inserted in the building hereby permitted.

Reason: To preserve the character and amenity of the existing barn and the wider locality in compliance with policies SC8 of the SCNP, policies GP35 and RA11 of the AVDLP and to comply with the NPPF.

- 9 The development shall be implemented in accordance with the recommendations and mitigations detailed in the Bat Method Statement from the ecological consultant AA Environmental Ltd dated March 2018. Any variation to the approved Method Statement shall be agreed in writing with the local planning authority before such change is made. The condition will be considered discharged following a written statement from the ecologist acting for the developer testifying to the plan having been implemented correctly.

Reason: To preserve the character and amenity of the existing barn and the wider locality in compliance with policies SC8 of the SCNP, policies GP35 and RA11 of the AVDLP and to comply with the NPPF.

- 10 The scheme for parking and manoeuvring indicated on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction, and inconvenience to users of the adjoining highway and to comply with Policy GP24 of the Aylesbury Vale District Local Plan and with the National Planning Policy Framework.

**Informatives:**

- 1 The applicant is advised that if it is intended to use soakaways as the method of dealing with the disposal of surface water then the permission of the appropriate Water Authority may be necessary.
- 2 It is contrary to the Highways Act 1980 for surface water from private development to drain onto the highway or discharge into the highway drainage system. The development shall therefore be so designed and constructed that surface water from the development shall not be permitted to drain onto the highway or into the highway drainage system.

**WORKING WITH THE APPLICANT/AGENT**

- In accordance with paragraphs 38 and 39 of the National Planning Policy Framework, Aylesbury Vale District Council (AVDC) takes a positive and proactive approach to development proposals and is focused on seeking solutions where possible and appropriate. AVDC 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, following the receipt of amended plans the application was considered to be acceptable as submitted and no further assistance was required.

### **3.0 INTRODUCTION**

- 3.1 The application has been brought to Committee as the proposed development would constitute a departure from policy and therefore in accordance with the scheme of delegation, Officers are not authorised to exercise powers delegated to them as the decision, if approved, would not be in accordance with the Council's approved or adopted planning policies

### **4.0 SITE LOCATION AND DESCRIPTION**

- 4.1 The application site forms part of the curtilage of Pear Tree House, situated on the western side of Queen Catherine Road approximately 0.5 miles southeast of Steeple Claydon village. The site is located within open countryside. Associated with the application site is the main house (Pear Tree House, a large detached dwelling with a timber framed stable block and brick outbuilding forming the application site immediately to its north western side.
- 4.2 The building to be converted sits along the western boundary of the site, and is a simple rectangular traditional brick structure with a steeply pitched plain clay tiled roof. It measures 5.0m x 11.5m on plan, with an eaves height of 2.8m and a ridge height of 5.80m. It has numerous openings including windows in all elevations and doors in its front and north western elevations.
- 4.3 To the southwest of the application site are the aforementioned modern timber stables and associated hardstanding beyond, forming a chicken run. To the south-east is Pear Tree House. The north-western boundary of the site is demarcated by a dense row of trees with open countryside to the west, which steadily rises up towards the nearby village of Steeple Claydon
- 4.4 The main dwelling is not listed, and the site is not located within any designated landscape area or Conservation Area. There are no other constraints associated with the site.

### **5.0 PROPOSAL**

- 5.1 Planning permission is sought for the conversion of the brick built outbuilding to form a 2-bed dwellinghouse. The proposed accommodation would be occupied by the present occupant of Pear Tree House with her children's family then occupying the host property. The modern stables are to be retained for use by the occupants of the proposed barn conversion.
- 5.2 In terms of external works, this would comprise predominately of the insertion of windows into the existing openings and the creation of two new window openings, one in the side and one to the rear elevation. To accommodate the proposed development the existing openings within the rear elevation will need to be altered. In addition, the proposal seeks the insertion of a rooflight into the front and rear elevations and the installation of a flue. As a result of the proposed development the converted building will comprise of a lounge, kitchen/ dining area, utility and w/c at ground floor with two bedrooms and a bathroom at first floor.
- 5.3 Two separate amenity areas are proposed to serve the converted barn. The existing hedgerow boundary with the countryside and roadside boundary would be reinforced with hawthorn, maple and dog rose.
- 5.4 Vehicular access to the site would be by way of the existing access to Pear Tree House. Parking is also shown for 2 No. parking spaces within the curtilage.

- 5.5 The application originally also proposed a separate swimming pool building within the curtilage of the proposed barn conversion. However following advice that this would be unacceptable in policy terms within the curtilage of a barn conversion this has been removed from the application.

## **6.0 RELEVANT PLANNING HISTORY**

- 90/00556/AOP - Extension to garage/stable block for the purpose of operating a boarding cattery - Approved
- 92/00661/APP - Loose box stabling - Approved
- 93/01133/APP - Change of use of workshop/store room to office - Approved

## **7.0 PARISH/TOWN COUNCIL COMMENTS**

- 7.1 Steeple Claydon Parish Council – No objection
- 7.2 Middle Claydon Parish Council – This application address is not in Middle Claydon Parish Area. It is in Steeple Claydon Parish area. Also Steeple Claydon Road is not correct, it should be Queen Catherine Road.

## **7.0 CONSULTATION RESPONSES**

- 8.1 AVDC Ecologist- No Objection - Satisfied with the Bat Method Statement from the ecological consultant AA Environmental Ltd dated March 2018. The Method Statement confirms that a European Protected Species licence will NOT be required. If all other matters have been satisfied the application can be approved with a condition requiring the development to be implemented in accordance with the Bat Method Statement from the ecological consultant AA Environmental Ltd dated March 2018.
- 8.2 Highways-This site is in a rural location out with the built up areas of Steeple Claydon and Middle Claydon with no footways, street lighting or public transport links. To this end from a highways and transport perspective the site is viewed as unsustainable. Given the change of use from a barn/stable block to a private dwelling the engineer has no concerns about intensification of the use of the access, based on the information provided by the applicant. It should be noted that within the East West Rail, Transport Works Order Act there is a proposal for the stopping up of Queen Catherine Road at the level crossing to the south of Pear Tree House and the provision of a realigned road to the rear of the plot. This would change the nature of the access to being off a cul-de-sac. Under both the existing highway arrangement and the anticipated proposed arrangement the proposal is acceptable within Highways Terms.
- 8.3 Heritage Officer- The overall proposal is considered to retain the element of interest of the barn, which is considered a non-designated heritage asset
- 8.4 Environmental Health- No objections

## **9.0 REPRESENTATIONS**

- 9.1 No letters of representation have been received.

## **10.0 EVALUATION**

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

- 10.1 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, comprising of the saved policies of the adopted Aylesbury Vale District Local Plan and Steeple Claydon's 'made' Neighbourhood Plans. 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, PPG and other material considerations. Determination of any formal application would need to consider whether the proposal constitutes sustainable development having regard to the policies within the Development Plan and the NPPF as a whole. In this respect, Steeple Claydon Parish has a 'made' Neighbourhood Plan which is a constituent part of the development plan. The SCP was made in December 2017 and covers the period 2013 to 2033 and is afforded full weight in the decision making process. There are a number of policies which are relevant and should be taken into consideration when determining the application and are as follows:
- Policy SC1: Steeple Claydon Settlement Boundary: states that for 'development proposals, other than for rural housing exception schemes, on land outside the Settlement Boundary will not be permitted in the countryside unless:
    - iii) They support the sustainable growth and expansion of a business or enterprise in the countryside area, both through the re-use of redundant or disused buildings and well-designed new buildings;
    - iv) They promote the development and diversification of agricultural and other land-based rural businesses, including meeting the essential need for a rural worker;
    - v) They support sustainable rural tourism and leisure developments that benefit businesses in the countryside area, communities and visitors, and which respect the character of the countryside;
    - vi) They comprise a single dwelling of outstanding architectural quality in a location that does not harm the character of the countryside and for which there is a special justification.'
  - Policy SC8: Design: stating 'development proposals will be supported provided that their scale, density, massing, height, landscape design, layout and materials reflect the architectural and historic character and scale of the surrounding buildings and landscape'..
- 10.2 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 GP8, GP24, GP35, GP38, GP39 and GP40 of the AVDLP.
- 10.3 The application site is located in the open countryside, outside a defined settlement of Steeple Claydon. 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.

- 10.4 Like policy RA11 of AVDL, policy SC1 in the SCNP is also not consistent with the NPPF as this policy seeks to resist residential development outside of defined settlement boundary unless the development is for a rural housing exception scheme or meeting the essential need for a rural worker. The proposed development for the re-use of redundant or disused buildings is only supported in Policy SC1 in connection with the growth and expansion of a business, not residential which is being proposed and therefore the development conflicts with the development plan. As outlined above, paragraph 79 allows residential development in the form of the re-use redundant or disused buildings and enhance its immediate setting. In this instance, given this, it is considered necessary to consider this as a departure from the development plan and to advertise this accordingly as a departure from the development plan.

### ***The Principle of Development***

- 10.5 Notwithstanding the above, Policy RA11 also requires that buildings to be converted are of permanent and substantial construction, do not require significant reconstruction or significant extensions and should reflect the character of the building and its setting and this part is consistent with the NPPF. The Council has also published "The Conversion of Traditional Farm Buildings" design guide. These objectives closely align with the policies of the Framework to secure high quality design and recognise the intrinsic character and beauty of the countryside. 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.
- 10.6 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. According to the evidence submitted with the application, the building to be converted to a dwelling was constructed around 1855 and is a former stable block that has also been used in the past as a cattery. Although a small part of the building is being used to house a vehicle, this is not the adjacent dwelling's main garage, and it is clear from the photographs in the building survey submitted with the application that it still has the appearance of a former stable block. The majority of the building is unused, with evidence of previous uses. As such, it can be concluded that it is a redundant/disused building in the countryside.
- 10.7 In this respect, the stable block is considered a traditional building which makes a positive contribution to its rural setting, and its proposed re-use would enhance the overall setting of the site through its retention.
- 10.8 The existing building is of solid construction. A structural survey submitted with the application confirms that the building is generally in good condition, with minimal work required such as the incorporation of a damp proof membrane at ground floor, and the strengthening of the upper floor where it has been damaged over the years. However, the structure is essentially in good condition and any changes to the fabric will be minimal. It is

considered that any such works can be carried out at the time of the conversion, along with the additional minor alterations proposed.

- 10.9 It is concluded the proposed development largely seeks to utilise the existing building and therefore falls within the remit of a conversion as the works do not involve significant reconstruction. Allowing the building to retain its existing, traditional agrarian appearance. The proposed development would constitute a conversion, satisfying the tests within the NPPF and this criteria within policy RA11 of AVDLP.

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

- 10.10 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.
- 10.11 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. 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; 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.
- 10.12 Steeple Claydon is identified as a large village in the Aylesbury Vale Settlement Hierarchy Assessment, with limited employment but with ten key services found within the village, including a village hall, combined school, shops, a local pub and recreational ground. Larger villages are considered to be more sustainable villages have reasonable access to facilities, services and public transport, making them sustainable locations for development Steeple Claydon in principle is therefore considered to have the ability to accommodate a proportionate level of development. In terms of its broader location, the site lies outside the village of Steeple Claydon in open countryside. The principle of development for the conversion is considered to be acceptable and considered sustainable, given the compliance with policy RA11 of the AVDLP. However, this proposal still has to be assessed against all other material considerations.

***Delivering a sufficient supply of homes***

- 10.14 Local planning authorities are charged with delivering a wide choice of high quality homes and to boost significantly the supply of housing by identifying sites for development, maintaining a supply of deliverable sites and to generally consider housing applications in the context of the presumption in favour of sustainable development.
- 10.15 The development would provide a two bedroom property. Given that there is a varied mix of property types in Steeple Claydon, the proposed unit would add to the housing stock.

Overall, the proposed development would result in a limited positive contribution to the Districts housing supply given only a single dwelling is proposed and therefore this is a matter which weighs in favour of the proposed development..

### ***Building a strong competitive economy***

- 10.16 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.
- 10.17 In this regard, there would be limited economic benefits which would include the creation of temporary construction jobs in terms of the conversion of the development itself and as well as creating a 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.

### ***Promoting healthy communities***

- 10.18 The NPPF seeks 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.
- 10.19 The NPPG was amended in May 2016 such that tariff-style s106 contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sqm. In this case, the proposed development would not exceed the threshold of 10 dwellings or 1000sqm floorspace and therefore financial contributions towards Leisure and Education cannot be sought.
- 10.20 Steeple Claydon has a variety of meeting places including a public houses, church, village hall and recreation ground, although the site is beyond easy walking distance of these facilities in the village. Nevertheless, there would be potential opportunities for the future occupiers of the new units to interact with the local community. Having regard to the above matters, overall it is considered that the development would promote healthy and safe communities in accordance with the NPPF. As such, this proposal would not conflict with the overall aims of paragraph 91 of the Framework.

### ***Promoting sustainable transport***

- 10.21 It is necessary to consider whether the proposed development is located where the need to travel will be minimised and the use of sustainable transport modes can be maximised and that safe and suitable access can be achieved, taking account of the policies in the Framework. Paragraph 109 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts of development are severe.
- 10.22 The promotion of sustainable transport is a principle of the NPPF and patterns of growth should be actively managed to make the fullest possible use of public transport, walking and cycling and to focus significant development in locations which are or can be made sustainable.
- 10.23 This site is in a rural location outside the built up areas of Steeple Claydon and Middle Claydon and is remote from these nearby settlements with no footways, street lighting or public transport links. In relation to its location, whilst the site is not highly accessible, in

terms of good pedestrian links or frequent bus services, there is some scope for travel by cycle and walking. Consequently, the site is considered not to be sustainable in transport and accessibility terms in the context of the requirements of the NPPF as the occupants would be reliant on the use of the private motor vehicle. Moreover, the number of trips associated with a single dwelling would be relatively minor. Whilst it is acknowledged that the site is not located in sustainable transport and accessible location it is also recognised that other policies of the Framework support the principle of for example farm diversification and that accessibility to non-car modes will not be as good in rural areas. On this basis, there is an understanding that from an accessibility and transport sustainability point of view that the location is not ideal. However would not render the application unacceptable subject to specific highway matters and adequate on-site parking provisions being provided.

#### *Impact on highways and parking*

- 10.24 The converted barn would be accessed via the existing main access serving Pear Tree House. The Highway Officer notes that given the change of use from a barn/stable block to a private dwelling there are no concerns about intensification of the use of the access, based on the information provided by the applicant.
- 10.25 It should be noted that within the East West Rail, Transport Works Order Act there is a proposal for the stopping up of Queen Catherine Road at the level crossing to the south of Pear Tree House and the provision of a realigned road to the rear of the plot. This would change the nature of the access to being off a cul-de-sac. Under both the existing highway arrangement and the anticipated proposed arrangement the proposal is acceptable within Highways Terms.
- 10.26 AVDLP policy GP.24 requires that new development accords with published parking guidelines. SPG1 'Parking Guidelines' sets out the appropriate parking requirements for various types of development. The parking requirement for 1,2 and 3 bedroom dwellings is 2 spaces per dwelling. Two parking spaces have been provided as shown on the proposed site plan. The parking provision for the main house would be unaffected by the proposal. Furthermore, the proposed development and subdivision of the land would ensure that sufficient space for parking to accommodate the main dwelling on the site can be achieved. As such, the proposal is considered to accord with GP.24 of AVDLP and NPPF and the Council's SPG Parking Guidelines.

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

- 10.27 Section 11 of the NPPF requires that planning policies and decisions should promote an effective use of land while safeguarding and improving the environment and ensuring safe and healthy living conditions, maintaining the prevailing character and setting, promoting regeneration and securing well designed, attractive and healthy places.. Paragraph 122 of the NPPF relating to achieving appropriate densities states that in supporting development that makes efficient use of land, it should taking into account of the importance the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it.
- 10.28 The proposed dwelling, comprising a conversion scheme, would comprise a two storey detached dwelling contributing to the housing supply of the District which represents an effective use of land in policy terms and would accord with the NPPF subject to no significant harm being identified elsewhere within this report.

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

- 10.29 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.
- 10.30 Permission should be refused for developments exhibiting poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides.
- 10.31 Policy SC8 of the SCNP states that development proposals will be supported, provided that their scale, density, massing, height, layout and materials reflect the character and scale of the surrounding buildings and landscape. In particular, the public views of open countryside between buildings on the south side of Queen Catherine Road to the open countryside should be respected.
- 10.32 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, Policy GP.35 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. The Council's adopted supplementary planning guidance in the form of The Conversion of Traditional Farm Buildings is also relevant.
- 10.33 In addition to this, RA11 of the AVDLP outlines that conversion works should not involve major reconstruction or significant extension and should respect the character of the building and its setting'. The adopted Conversion of Traditional Farm Buildings (Design Guide 2) SPG (supplementary planning guidance) provides guidance on how to sympathetically convert a traditional farm building. It states that conversion schemes should be true conversion schemes retaining the existing structure without significant rebuilding or extension with as much of the original structure retained as possible. Changes to the roof slope, amendments to the eavesline and the addition of porches and bay windows will contribute to complexity and loss of original character. Furthermore window and door openings should be kept to a minimum. These principles closely align with the principles of the Framework to secure high quality design and recognise the intrinsic character and beauty of the countryside.
- 10.34 The barn to which this application relates is a traditional building which makes a positive contribution to the character and appearance of the area and is worthy of retention. The proposed conversion scheme would retain as much as possible the traditional form and functional simplicity of the barn. In terms of the alterations to the barn, these are small scale and include the insertion of windows into existing openings and creation of two new window openings, one on the side and one on the rear elevations. Only two small rooflights are proposed. No further additions such as chimneys, bay windows and porches are proposed, helping to retain the simple agrarian character of the building and reflects the advice in the Supplementary Planning Guidance. The proposed residential curtilages are shown to be contained within the existing space immediately adjacent to barn formerly used in connection for the building when it was in use as a cattery/stable block. Therefore the conversion scheme would not encroach upon the surrounding countryside. Overall, the conversion would retain the rural appearance of the barn. Access would be taken by way of the existing access to the main dwelling Pear Tree House, with two parking spaces provided adjacent to the barn, and in front of the existing wooden stable barn to be retained. The site is however well screened from surrounding public viewpoints by existing

trees and hedgerow, and therefore not easily visible or prominent in terms of any landscape setting. Furthermore it is well screened from the farmhouse by boundary hedging on the south-eastern side.

- 10.35 It is therefore considered that from a design standpoint the proposed conversion scheme satisfies the NPPF complaint tests in Policy RA11 and would enhance its immediate setting. Overall it is considered that the design of the dwelling would be acceptable, in accordance with policy SC8 of the SCNP, policies GP35 and RA11 of the AVDLP and the NPPF.

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

- 10.36 The NPPF at Section 14, 'Meeting the challenge of climate change, flooding and coastal change' advises at paragraph 163 that planning authorities should require planning applications for development in areas at risk of flooding to include a site-specific flood risk assessment to ensure that flood risk is not increased elsewhere, and to ensure that the development is appropriately flood resilient, including safe access and escape routes where required, and that any residual risk can be safely managed. Development should also give priority to the use of sustainable drainage systems.
- 10.37 The development is not located within a flood plain and is therefore considered to be at low risk of flooding. It is not considered that the proposed development would materially increase or exacerbate flood risk on the site nor in the wider locality. The proposed dwellings would be required to be constructed to modern standards of design and sustainability to accord with current building regulations. As such, it is considered the proposed development would be resilient to climate change and would not increase flood risk elsewhere in accordance with the Framework.

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

- 10.38 Regard must be had as to how the proposed development contributes to the natural and local environment through protecting and enhancing valued landscapes and geological interests, minimising impacts on biodiversity and providing net gains where possible and preventing any adverse effects of pollution, as required by the NPPF. The following sections of the report consider the proposal in terms of impact on landscape, trees and hedgerows and biodiversity.
- 10.39 Section 15 of the NPPF states planning policies and decision should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils and recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.
- 10.40 In terms of policy GP35 of the Aylesbury Vale District Local Plan and because of the relationship described above, the development would fit into the context and complement the physical characteristics of the site and surroundings or the natural qualities and features of the area.
- 10.41 The application site is located within open countryside where there are no specific landscape designations. Agricultural buildings positively contribute to the rural character of the countryside and therefore it is essential that conversions of agricultural buildings are sympathetic and sensitive to ensure that residential conversions are not overly domesticated, causing harm to the character and appearance of the area. The form and appearance of the buildings play a key role in preserving the rural nature of the site and its

surroundings. Whilst the application site does contribute to the character and appearance of the countryside, it is also acknowledged that the proposal would involve the reuse of a building considered to comprise a non designated heritage asset which would bring the building back into beneficial use and complement its setting within the open countryside. In light of the above, it is important that agricultural buildings which positively contribute to the character and appearance of an area, are retained in their (usually) linear form with dual pitched roof. As such it is considered important in this instance to remove permitted development rights to ensure that works are not carried out to the building (post-implementation) without the requirement of express planning permission which could have the potential to drastically alter the design and appearance of the building beyond that which would typically be permissible, which could prove contrary to relevant planning policies and guidance notes which seek to retain the original built form and character.

- 10.42 The majority of the proposed works would be a conversion of the existing building. The proposal involves minimal landscaping works and no increases to the external footprint of the existing building. As such, there would not be any material harm to the natural environment and therefore the proposed development complies with policy GP35 of AVDLP and the NPPF.

#### Trees and hedgerows

- 10.43 Policies GP39 and GP40 of the AVDLP seek to preserve existing trees and hedgerows where they are of amenity, landscape or wildlife value.
- 10.44 All surrounding trees and hedgerows are to be retained and will continue to screen and soften the development. The existing hedging along the curtilage boundaries would be reinforced with hawthorn, maple and dog rose which would strengthen the boundaries ensuring the development is compliant with policies GP39 & GP40 of AVDLP.

#### Biodiversity

- 10.45 Circular 06/2005 states that it is essential that the presence or otherwise of protected species and the extent to which they may be affected by development is established before planning permission is granted.
- 10.46 To conserve and enhance the natural environment, NPPF paragraph 170 raises the importance of development's contribution to enhancing the local environment. In particular, part (d) highlights the minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
- 10.47 Paragraph 109 of the Framework requires new development to minimise impacts on biodiversity and provide net gains in biodiversity where possible.
- 10.48 A Bat Method Statement was submitted by ecological consultant AA Environmental Ltd dated March 2018. The Method Statement confirms that a European Protected Species licence will NOT be required and states:

“As a proportion of the roof space can be retained to maintain roosting opportunities for bats with the works carefully controlled to ensure no bats are harmed/disturbed then the works can proceed under a method statement, without the need to apply for a European Protected Species (EPS) licence”

- 10.49 ADVC Ecology raised no objection to the proposal, subject to the use of an appropriate planning condition ensuring that the development is implemented in accordance with the recommendations and mitigations detailed in the Bat Method Statement from the ecological consultant AA Environmental Ltd dated March 2018. They proposed a condition that would secure net gains for biodiversity in line with NPPF guidance.

### ***Conserving and enhancing the historic environment***

- 10.50 Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on local authorities to pay special regard to the desirability of preserving the Listed Building, its setting and any features of special architectural or historic interest in which it possesses. In addition to paying attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas.
- 10.51 The National Planning Policy Framework (NPPF) recognises the effect of an application on the significance of a heritage asset is a material planning consideration. Paragraph 184 of the NPPF identifies heritage assets as an irreplaceable resource which should be conserved in a manner appropriate to their significance.
- 10.52 The barn is not listed and there are no listed buildings nearby and is not within a Conservation Area. However the Heritage Officer considers that due to its age and aesthetic interest the barn is an undesignated heritage asset
- 10.53 Paragraph 189 of the NPPF requires that the applicant describes the significance of the heritage assets affected. No Heritage Statement is submitted with the application and as such there has been no assessment of the significance or harm within the application. However from reviewing the application the Design and Access Statement confirms they have taken into considerations RA11 – Conversion of buildings in the Countryside, which requires conversion work to respect the character of the building. Overall it is felt that this has been achieved with the proposed scheme. The elements which make this building of interest such as its external material and openings will be retained. There are no additions included in the current scheme and therefore the overall plan form and scale will also be retained. Therefore in assessing the impact of the application it is considered that no harm would be caused to the significance of the barn in accordance with Paragraph 197 of the NPPF.
- 10.54 It is necessary to consider the significance of any heritage assets affected including any contribution made by their setting. The site is not within a conservation area and there are no listed buildings nearby that would be affected by the proposal and as such would accord with policy GP53 of AVDLP, Section 66 & 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

### **Supporting high quality communications**

- 10.55 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.
- 10.56 Given the location of the proposed development, and bearing in mind that they would be in the most reusing an existing building, 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.
- 10.57 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***

- 10.58 Policy GP8 of the AVDLP seeks to preserve the residential amenities of neighbouring properties by protecting their character of outlook, access to natural light and privacy.
- 10.59 In terms of the conversion, the neighbouring property of Pear Tree House at its nearest point is around 15m from the stable block, and is located further back into the site than the building for conversion. This separation distance, along with the positioning of both buildings and the strong hedgeline along the boundary, would ensure that the proposal would not have any significant impact in terms of the privacy or outlook of both dwellings. As the proposed development seeks to utilise an existing structure there would be no concerns in regard to visual intrusion, loss of sunlight and daylight.
- 10.60 The applicants would move into the converted barn and would retain use of the existing stable block. Pear Tree House would remain in the applicant's ownership and would be occupied by family members. Notwithstanding the proximity of the existing stable block to Pear Tree House, the Environmental Health Officer, who has been consulted, holds no objection to the proposal.
- 10.61 In addition to the above, it is considered that there would be sufficient amenity space retained for the converted barn and existing property.
- 10.62 In summary, it is considered that the proposal would not have an unacceptable adverse impact upon the neighbouring amenity or that of the converted dwelling, and would achieve the core planning principle of securing a good standard of amenity for existing and future users of land and buildings. Therefore the proposal accords with policy GP.8 of AVDLP and NPPF.

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