

APPENDIX 11

From: [Keith Hutchinson](#)
To: [Licensing Mailbox](#)
Cc: [REDACTED]
Subject: [EXTERNAL] Review of premises licence, New Bury Park Events Ltd, New Bury Farm. Mill Road, Slapton, LU7 9BT
Date: 17 October 2023 15:57:16
Attachments: [11_01971_APP-APPROVED-1051302.pdf](#)
[Letter to AVDC 13 05 2018.pdf](#)
[L to Bucks C 29 10 2020.pdf](#)

You don't often get email from keith@hutchinsons-planning.co.uk. [Learn why this is important](#)

[Please note this has been sent from an external source - treat with caution and do not open attachments / use links until you are sure this is a trusted communication see intranet/IT for advice.]

Dear Sirs

We are instructed by Mrs E. Griffin of Buffalo Lodge farmhouse, which adjoins the New Bury Farm site at Mill Road and have been asked by her to provide planning information for consideration in connection with the licence review.

Most importantly, we would refer you to the retrospective planning permission granted to Interguide Group Ltd. in January 2012 (Ref 11/01971 copy attached) in connection with the use of the farm as an equestrian centre. We would draw your attention in particular to Condition 8 of the permission, which specifically precludes the use of the land or buildings for “*non-equestrian related commercial functions or events.*” The recent events carried on at the premises constitute a clear and direct breach of that planning condition, which is actionable by your Council, acting as Local Planning Authority. In such circumstances it would seem entirely inappropriate for an events licence to be granted.. Furthermore, condition 1 of the permission required improvements to the access to be carried out within 2 months, but, as far as we are aware, no such improvements have ever been undertaken.

The 2012 retrospective application included the driveway also serving Buffalo Lodge, but no Notice was served on our client who owns it. However, this error was rectified in an application for 17 dwellings and a village hall submitted by Interguide in 2018, but only after we had pointed this out to the Planning Officer (copy of our letter dated 13th May 2018 attached). Unfortunately, a similar situation arose in 2020 when an application for the use of two barns for B2/B8 purposes was submitted and was only amended after we had pointed out the obvious error (copy of our letter dated 29th October 2020 attached).

It is clear that, over the years, the owners of New Bury Farm have quite deliberately flouted planning regulations and their continuing operations have seriously impacted on our client's residential amenities. We request therefore that you take the above additional information into account and do not grant the premises licence. We would be pleased to receive acknowledgement of receipt of these representations and the result of your Council's deliberations in due course.

Yours faithfully

Keith Hutchinson

Partner

HUTCHINSONS

Tel: 01480 861469

Mob: 07802 718960

Email: keith@hutchinsons-planning.co.uk

Hutchinsons, Planning & Development Consultants.
15 Castle Gardens, Kimbolton, Cambs. PE28 0JE

HUTCHINSONS

Planning & Development Consultants

Email: office@hutchinsons-planning.co.uk

Web: www.hutchinsons-planning.co.uk

15 Castle Gardens
Kimbolton
Cambridgeshire
PE28 0JE

Our Ref: KRH/1160.01/L0001
Your ref: 18/00283/AOP
13 May 2018

Tel: 01480 861469

Mr S Hackner
Planning Officer
Aylesbury Vale District Council

By email

Dear Mr Hackner

Proposed residential development of 17 dwellings and village hall, Bury Farm Equestrian Centre, Bury Farm, Mill Road, Slapton (Ref 18/00283/AOP)

We refer to our previous email correspondence and would confirm that we are instructed by Mrs E Griffin who owns and resides at Buffalo House, which was formerly the farmhouse serving Bury Farm, now an Equestrian Centre.

Our client has now been served with a Notice, because, as indicated to you previously, she is also the owner of the existing single track roadway, which provides access to her property, the Equestrian Centre and both the proposed residential development and the proposed village hall. However, we wish to make it clear that the notification came only as a result of our last email to you and our client has not given her permission for the use of the roadway resulting from these proposals and, in fact, she has never been consulted on the matter by the Interguide Group or their agents.

The Equestrian Centre already generates a significant number of traffic movements in the form of horseboxes and other large vehicles visiting the site and we are concerned that the Transport Statement accompanying the planning application takes no account of weekend traffic, particularly when the numerous events take place. These movements, and the general disturbance caused, seriously affect our client's quiet enjoyment of her property.

We note that the proposals include improvements to the access at the junction with Mill Road, but from our research of site history we understand that the original planning permission for the Equestrian Centre in 2011 required improvements to the access, which were never carried out. We therefore request the Council to investigate this breach of condition and we would point out that this earlier application also included the access roadway, but no Notice was served.

We have studied the submitted Planning Statement supporting the planning application and we are concerned about various assertions, omissions and interpretations. In Section 2 the current operations and uses already on the site are described, which include “*a retail shop for the sale of equine merchandise, a café and restaurant together with two bars which are open to the local community and visitors*” (Parag.2.4) and “*a number of residential flats.*” (Parag. 2.6). However, the 2011 planning permission, which regularised a number of developments which had been carried out without planning permission on the site, contained conditions limiting the use of the shop and café. We are not aware of any permission granted for bars or flats. Understandably, our client is concerned that even more unauthorised developments will continue to take place on the site, which, coupled with the residential and village hall proposals, will further affect her amenities.

Turning to the sections on planning policy, we would emphasise that the starting point for the determination of all planning applications is the statutory development plan, which in this case comprises the Aylesbury Vale District Local Plan, which was adopted in 2004. The emerging Vale of Aylesbury Local Plan has been submitted to the Secretary of State and the Examination is due to take place in July. In such circumstances the policies contained within it are a material consideration of some weight. Even more importantly, the independent examiner’s report into the Slapton Neighbourhood Plan has now been accepted by the District Council and the referendum will take place on 5th Jul 2018. Accordingly, the policies contained in that document should be given considerable weight, even though it has not yet been “made.”

The submitted Planning Statement accepts that the proposals are outside the built-up area of the village, where new housing development will be restricted, but suggests that the proposals are acceptable because the development constitutes the effective use of brownfield land in similar circumstances to a case allowed on appeal involving land where a stable was to be replaced. However, the particular case referred to in Parags. 8.2 to 8.4 of the Statement related only to a single dwelling replacing an existing stable. In this application the development relates to the erection of 17 dwellings on a considerable portion of paddock land, which cannot be considered as brownfield and is certainly not comparable to the erection of a single dwelling replacing an existing building. Of course, there is simply no justification in this respect for the erection of the proposed village hall, the siting of which is entirely greenfield in nature.

The Planning Statement also accepts that the Council can demonstrate a 5-year supply of deliverable housing sites, so the second part of Parag. 49 of the NPPF does not apply, but, even if the housing supply policies of the adopted Local Plan are deemed to be out of date, because of their perceived inconsistency with the NPPF, there are other policies of the Local Plan, which remain. The Statement makes no mention of Policy RA.1 of the Local Plan, which gives priority to the need to protect the countryside for its own sake and confirms that development within it will not be permitted unless it is connected with agriculture etc. In our opinion there is clear conflict with this countryside policy.

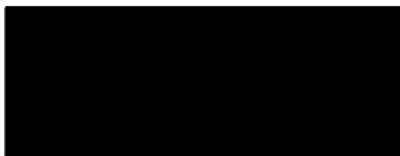
The emerging submission version of the Vale of Aylesbury Local Plan focuses development on the strategic settlements and identifies Slapton as a “smaller village” where there will be no allocations and where sites will come forward through neighbourhood plans or individual windfall applications. These proposals, which do not represent a logical extension to the built-up area of the village, are clearly contrary to Policy S3, which is concerned with the settlement hierarchy and cohesive development.

Of particular significance, is the fact that these proposals conflict with specific policies of the Slapton Neighbourhood Plan. The Plan defines a settlement boundary to the village beyond which development will be restricted to essential developments such as rural workers' dwellings or developments positively contributing to the landscape (Policy SLP1). The Plan also contains a policy for the village hall (SLP3), the first requirement for which is that the land adjoins the defined settlement boundary. The proposals are clearly contrary to both these policies.

The Planning Statement indicates that, in accordance with the NPPF, the development provides sustainable development and therefore there should be a presumption in its favour. However, in our opinion the proposals do not constitute sustainable development, because they do not fulfil the economic, social and environmental roles required. From an economic viewpoint, any housing scheme in any location would contribute towards the Council's housing supply and the application makes no provision for affordable housing in terms of putting forward at least a draft s106 agreement to secure such provision; from a social viewpoint, the site is divorced from the village and the new village hall is poorly sited to provide a proper social centre for the village; and from an environmental viewpoint, the proposals constitute an unwarranted and illogical extension of built form into the countryside, entirely separate from the village.

We consider the proposed development conflicts with national and local planning policy and is unsustainable for the reasons we have set out above. The access roadway is totally unsuitable to cater for further traffic, and, in any event it is owned by our client, who has given no permission for its use and who strongly objects to the proposals, because of the impact on her amenities. In the circumstance we therefore request the District Council to refuse planning permission.

Yours sincerely



KEITH HUTCHINSON

Partner

Email: keith@hutchinsons-planning.co.uk

Mobile: 07802 718960

AYLESBURY VALE DISTRICT COUNCIL

Town and Country Planning Act 1990

11/01971/APP

Sheena Foy
Foy Planning Consultancy
Crabtree Farmhouse
IVINGHOE ASTON LU7 9DP

Interguide Group Ltd
Mill Road
SLAPTON LU7 9DP

Subsequent to your application that was valid on the **7th September 2011** and in pursuance of their powers under the above mentioned Act and Orders, Aylesbury Vale District Council as Local Planning Authority **HEREBY PERMIT:**

Continued use of farm as an equestrian centre with 3 indoor arenas, erection of a fourth arena (**Retrospective**), conversion of agricultural buildings to livery barns and other uses including vets practice, saddlery and ancillary operations (**Retrospective**) including retention and extension of manège, change of use of barn to shop including mezzanine floor (**Retrospective**) and provision of mechanical horse walker (**Retrospective**)

AT:

New Bury Farm Mill Road Slapton LU7 9BT

Approved Drawing Numbers: KS/11032/G&F
1207/1A
1207/2A
1207/3
1207/3A
1207/4
1207/4A
1207/5A
1207/6A
1207/7A
1207/8A
1207/9
1207/9A
C4 Rev. A
2208-2
2208-1

Subject to the following conditions and reasons:

- 1 Within 2 months of the date of this permission the means of access shall be sited and laid out in accordance with the approved drawings and constructed in accordance with Buckinghamshire County Council's guide note "Commercial Vehicular Access within Highway Limits" 2001.

- Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development and in accordance with PPG13.
- 2 The (tack) shop use hereby approved shall not be used for any retail purpose/use other than in connection with equine related activities.
- 2 To ensure a satisfactory appearance to the development and in accordance with Aylesbury Vale District Local Plan policies RA4, GP35 and GP81.
- 3 Within 2 months of the date of this permission a scheme for the disposal of dung, faecal matter, soiled straw or other bedding material shall be submitted for the written approval of the Local Planning Authority. The disposal of dung, faecal matter, soiled straw or other bedding material shall be undertaken in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.
- Reason: In the interests of the visual amenities of the area and in accordance with the Aylesbury Vale District Local Plan policy GP95.
- 4 The riding school use hereby approved shall only operate on Mondays between 14:00 and 19:00 hours, between 15:00 and 19:00 hours on Tuesdays, between 14:00 and 20:00 hours on Wednesdays, between 11:00 and 20:00 hours on Thursdays, between 12:00 and 20:00 hours on Fridays, between 09:00 and 16:00 hours on Saturdays and between 10:00 and 16:00 hours on Sundays.
- Reason: For the avoidance of doubt and in accordance with the Aylesbury Vale District Local Plan policy GP8.
- 5 Any dressage, one day event, training, pony club or show jumping events or competitions shall only operate between the hours of 09:30 and 18:00.
- Reason: For the avoidance of doubt and in accordance with the Aylesbury Vale District Local Plan policy GP8.
- 6 The café use hereby permitted within Building 3, as shown on plans numbered 1207/3 and KS/11032/G&F shall only be used as ancillary to Bury Farm Equestrian Village and for no other purpose.
- Reason: To ensure that inappropriate uses do not take place in this locality and in accordance with the Aylesbury Vale District Local Plan policy RA4 and GP77.
- 7 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 these areas 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 in accordance with guidance contained in PPG13.

8 Notwithstanding the provisions of Part 4 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 non-equestrian related commercial functions or events shall take place anywhere within the buildings hereby permitted or within existing buildings, unless specified on the approved plans, or elsewhere within the site.

Reason: For the avoidance of doubt and in accordance with the Aylesbury Vale District Local Plan policy GP77 and guidance contained in PPS1 and PPS4.

9 Within 2 months of the date of this permission full details of any external public address system shall be submitted to and approved in writing by the Local Planning Authority. The details shall include their location and details of the units themselves including volume of output. The works shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the area and in accordance with the Aylesbury Vale District Local Plan policy GP95.

The justification for making this decision is:

The proposal is in accordance with the Aylesbury Vale District Local Plan policies GP8, GP17, GP24, GP35, GP38, GP77, GP78, GP95, RA4 and RA11 and with the guidance contained in PPS1, PPS4 and PPG13. There are no other material planning considerations of such weight to lead to a decision contrary to those policies.

INFORMATIVE

The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway. A period of 28 days must be allowed for the issuing of the licence, please contact the Area Manager at the following address for information:

Bucks CC Transportation, Aylesbury Vale Area Office, The Winslow Centre
Park Road, Winslow, MK18 3RB. Tel 01296 383400

Your attention is drawn to the notes on the back of this form.



For and on behalf of the District Council
13th January 2012

HUTCHINSONS

Planning & Development Consultants

Email: office@hutchinsons-planning.co.uk

Web: www.hutchinsons-planning.co.uk

15 Castle Gardens
Kimbolton
Cambridgeshire
PE28 0JE

Tel: 01480 861469

S. Bambrick, Esq
Service Director of Planning
Buckinghamshire Council (Aylesbury Vale)

Our Ref: 1160.01
29 October 2020

By Email

Dear Mr Bambrick

Conversion of two adjoining barns, used for equestrian purposes, to B2/B8 uses, New Bury Farm, Mill Road, Slapton, Buckinghamshire, LU7 9BT (Ref 20/03496/APP)

We refer to the above application by the Interguide Group Ltd. We act for Mrs E Griffin, who lives next to the site and also owns the access road, which serves New Bury Farm and her own dwelling.

Various planning applications have been submitted by Interguide Group over the years, including: an application to regularise the equestrian use and buildings in 2011 (Ref11/01971/APP); variation of operating hours in 2012 (Ref 12/00526/APP); and, more recently, in 2018 a residential development and village hall (Ref 18/00283/AOP). All of these applications were submitted with an incorrect ownership certificate, indicating that Interguide Group owned all the land, including the access road, which they did not.

We pointed out the error in 2018 and the application was amended. However, the latest application also has an incorrect ownership certificate and no notice has been served on our client, even though the applicant and agent remain the same. Whilst we understand that an error may have been made in 2012, there is simply no excuse for the incorrect certification being submitted yet again. As you are aware, the deliberate falsification of ownership certificates is a criminal offence and we should be pleased if you would contact the applicants informing them of this fact.

We will be writing to you a formal objection to the application in due course, but in the meantime we request that no further action is taken in connection with the determination of the application until this serious error is corrected.

We would appreciate an acknowledgement of receipt of this letter

Yours sincerely



KEITH HUTCHINSON

Partner

Email: keith@hutchinsons-planning.co.uk

Mobile: 07802 718960