



Report to North Area Planning Committee

Application Number:	19/03952/APP
Proposal:	Conversion, extension, repair and part-demolition of existing barns to create one residential unit
Site Location:	Park Farm, Home Farm Lane, Great Brickhill, Buckinghamshire, MK17 9AX
Applicant:	Mr & Mrs Sarah and Andrew Leake
Case Officer:	William Docherty
Ward(s) affected:	Great Brickhill
Parish-Town Council:	Great Brickhill
Date valid application received:	11.11.2019
Statutory determination date:	06.01.2020
Recommendation	Refusal

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 The extent of the repairs, insertion of new windows and glazing with proportion to the external wall would go beyond the scope of permissible works, contrary to RA11 and GP35 of the AVDLP and policies C1 and BE2 of the emerging VALP. The proposed works would detract from the agrarian character of the existing buildings as well as the wider character and appearance of the rural area.
- 1.2 No wider material considerations have been identified to outweigh this conflict and there are no material considerations that indicate a decision other than in accordance with the development plan.

Councillor Comments

- 1.3 Ex Councillor Neil Blake has called in the application citing that the application supports the re-use of redundant barns in a rural location and meets both Council and National policy Guidelines.
- 1.4 Councillor Ben Everitt has called in the application citing the support of Heritage and Parish Council with no justified reason for refusal.
- 1.5 **Recommendation:** Refusal

2.0 Site Description and Description of Proposed Development

Site description

- 2.1 The site contains an existing barn complex which is associated with the existing residential use at Park Farm. According to the applicant's 'Design Statement', the farmhouse itself dates from around 1720 and the barns were probably built during the 19th century, although remnants of an earlier stone barn are visible. It is understood that the existing farmhouse was completely refurbished in around 2012.
- 2.2 The application site is bound by woodland to the north of the site, however open fields and agricultural land encircle the site to the south, east and west. The site contains a number of trees, concentrated to the south-west of the existing barns and immediately adjacent to the north of the existing dwelling at Park Farm.
- 2.3 There are three main wings to the existing barn complex referred to as Barn '1', '2' and '3', as identified in the applicant's submission. Barn 1 is oriented on an east-west axis running perpendicular to the existing dwelling at Park Farm and located to the south west of the front elevation on the property. Barn 2 is a part two-storey and part single storey structure and adjoins the west (side) elevation of the dwelling at Park Farm and extends south parallel with the orientation of the dwelling. Barn 3 is the smallest of the three buildings referred to in the barn complex and is single storey with pitch roof, located to the east of Barn 2 and beyond the south-east of the rear elevation of the existing dwelling at Park Farm at a position close to where these two elements adjoin.
- 2.4 These barns are constructed predominantly of red brick and slate tiles, with timber roof beams supporting the slate roof. Barn 1 contains interesting circular brick columns which provide support for the roof, while Barn 2 has square columns which help accommodate an additional floor. Barn 3 has two blue-painted timber doors on the northern elevation facing the existing farmhouse. All barn wings are in a state of disrepair; however, Barn 2 is considered to be in the worst state of repair, with a significant portion of the southern roof appearing to have collapsed.
- 2.5 Outside of the main three elements described and within the area of the barn complex exist vestiges of walls and floor slabs of former buildings; one forming part of an enclosed courtyard and quadrangle of buildings. A concentration of areas of partial structure and old stone wall comprising former buildings exists to the south of Barn 2 along with a more recently re-built brick-built stables (dating from c.1970 and with asbestos roof) to the south-west of Barn 2, which is currently not used.
- 2.6 The agricultural use which would have been associated with the use of these barns appears to have ceased some time ago. Access to the site can either be taken leading east from Home Farm Lane or from Watling Street located to the north, however access for the proposed dwelling will be predominantly from Home Farm Lane, via an unmetalled private road.

- 2.7 The application site is located within the Brickhills Area of Attractive Landscape and is located within Flood Zone 1 and in an area of high susceptibility of surface water flooding.

Development Proposals

- 2.8 Planning permission is sought for the repair, conversion and extension of the barns to create one residential unit.

2.9 The proposed alterations and extensions to Barn 1 would see the complete removal and replacement of existing roof structure, and its subsequent replacement with an upgraded roof structure to support the new roof covering by either the installation of a ridge beam, ceiling joists, or a horizontal eaves beam, new windows and openings inserted in the south and west elevations and the construction of a new ground floor slab. The existing circular brick pillars would be require some rebuilding and in part retained and the openings infilled with glazing. Further to the above defined works, subsidence has been identified in the structural report to the right hand side of the building and the supporting structural report identifies that this require additional investigation and potential rebuilding. Barn 1 would contain the following proposed uses: garden store, a games room, 2 bathrooms and 1 bedroom.

2.10 In relation to barn 2, the structural report identifies that the right hand end of the building has partially collapsed due to the failure of the roof structure which has caused the upper sections of masonry to collapse. Clearly, in this location the barn will need to be rebuilt and it is proposed that this would use the reclaimed bricks plus any that may be salvaged from the adjoining buildings or walling to this particular elevation. As with Barn 1 there would need to be repointing and new windows installed and the central brick pier will require rebuilding and underpinning as it is presently supported using a temporary prop. Due to the degradation of the roof covering, significant damage has been caused to the first floor timber structure (floorboards, floor joists and timber beams). Therefore, the structural report recommends that this floor be stripped out, all timbers that are salvageable be reused where possible and the new roof structure requires replacing and strengthened as with Barn 1. This would allow for reinstating and reconstruction of the first floor.

2.11 The proposed works to Barn 3 would be in a form of a small link extension as well as remedial repairs and cosmetic alterations to the structure. The proposed extension would link Barn 2 and Barn 3 together and would be glazed on the southern elevation and be timber clad on the northern elevation facing the existing farmhouse, and would contain a toilet and connecting lobby to the main house. The supporting information identified some additional work would be required to the roof structure and the rebuilding of a section of brickwork in the north-west corner of Barn 3 where this has rotated outwards. To the existing barn, in the southern elevation there will be 2 new windows inserted, with a new window in the east elevation gable end. The building will contain a bedroom, bathroom and dressing room.

3.0 Relevant Planning History

- 3.1 17/03988/APP - Conversion, extension, repair and part-demolition of existing barns to create one residential unit – Refused 27.09.2019 (Appeal in progress) The reasons for refusal are :

'The proposed development by virtue of its design, scale, form and layout together with extent of works to the existing barns, including the rebuild, insertion of new windows and openings to the external walls and roof, the extent of the glazing on the southern elevation of Barn 1 and eastern elevation of Barn 2, along with the proposed extension to Barn 2 would detract from the existing agrarian character and appearance of the buildings, to the detriment of the rural character and appearance of the area. The proposed development would not be in accordance with Policies GP35 and RA11 of the AVDLP, Design Guide on 'The Conversion of traditional Farm Buildings and the NPPF.'

4.0 Representations

- 4.1 Gt Brickhill Parish Council support the re use of this heritage building. No other representations have been made. The comments are set out in Appendix A

5.0 Policy Considerations and Evaluation

Principle and Location of Development

- 5.1 The Government's view of what 'sustainable development' means in practice is to be found in paragraphs 7 to 211 of the NPPF, taken as a whole (paragraph 3). The National Planning Policy Framework (NPPF) has a presumption in favour of sustainable development for both plan-making and decision-making.
- 5.2 It is only if a development is sustainable when assessed against the NPPF as a whole that it would benefit from the presumption in paragraph 11 of the NPPF.
- 5.3 Policy RA11 of the AVDLP states that outside the built-up area of settlements, the Council endorses the conservation and re-use of buildings that are of permanent and substantial construction and generally in keeping with the rural surroundings, for non-residential purposes that fortify the rural economy. The scale of such schemes should not conflict with the strategy of concentrating development in the main settlements. Conversion works should not involve major reconstruction or significant extensions and should respect the character of the building and its setting. Proposals should not give rise to other planning objections. Permission for residential re-use is unlikely but may be granted exceptionally as part of an acceptable business conversion scheme, or where genuine attempts to secure business re-use have been unsuccessful. Any subsequent redevelopment proposals will be judged by other relevant policies in the Local Plan.
- 5.4 Policy C1, Conversion of rural buildings, of the emerging VALP follows these principals and states that the re-use of an existing building that is of a permanent and substantial construction and generally in keeping with the rural surroundings in the countryside will be permitted provided that all the following assessment criteria are

met: a) Conversion works should not involve major reconstruction or significant extensions and should respect the character of the building and its setting, except in exceptional circumstances where it can be demonstrated that dereliction was the result of severe accident damage or accidental destruction in the past two years, b) Where the building is suitable for modern agricultural practice it would not give rise to a future need for another building to fulfil the function of the building being re-used, c) The long-term retention of a building that is by reason of its location, size, condition and appearance is harmful to the character of the countryside is not encouraged, d) The redundant or disused status of the building has been demonstrated and the construction for the intended re-use of the building would enhance the immediate setting, e) The existing building is inherently suitable, in terms of its size, design and construction for the intended re-use, and the proposed scheme enables the intended re-use to be achieved without the need for complete or substantial reconstruction, f) The existing building is located well away from existing settlements where utilities are not available, g) The existing building is not damaging to the surrounding character by virtue of a utilitarian appearance or cladding unattractive materials, h) The proposed re-use is of a scale that would not have an adverse impact on its surroundings or the viability of existing facilities or services in nearby settlements, i) Any extension to the existing building included in the proposed scheme is modest in scale, ancillary in nature, subordinate to the main building and necessary to meet the essential functional requirements of the intended re-use j) Any extension to the existing barn conversion is modest in scale, ancillary in nature, subordinate to the main building, in keeping with the rural character, designed with the sensitivity to the host building and will enhance the character and appearance of its immediate surroundings, k) Where the existing building is of a designated or non-designated heritage assets or contributes to local character, the proposed scheme would retain significant historical features and not adversely affect the character and appearance of the building or its setting, l) Where any curtilage is required it should not be excessive in size and should relate well to the existing building and landscape m) The proposed scheme would not give rise to ancillary uses that could not be accommodated within the site and does not include, or would not give rise to, ancillary uses within the site, such as open storage, that would be visually intrusive, and n) Conversion works should not adversely impact upon wildlife using the structure. If impacts to nesting sites are unavoidable, mitigation will be required (see policy NE1). This policy is to be given moderate weight in the decision making process as the inspector has considered the proposed modifications and in agreeing them for consultation, has confirmed are reasonably satisfied that they remedy the points of unsoundness identified in the examination process so far.

- 5.5 The Council's adopted Supplementary Planning Guidance in the form of Design Guide for the Conversion of Traditional Farm Buildings allows for new dwellings to be created by the conversion of an existing structure of permanent and substantial construction, subject to there being no major extension or reconstruction.

- 5.6 The application site is located approximately $\frac{3}{4}$ mile from the village of Great Brickhill to the west. Access to the application site from the village is via a narrow single track and is therefore in the open countryside.
- 5.7 The structural inspection report has been considered by structural engineer who notes that the barn could be refurbished to residential accommodation although some more extensive rebuilding is required to facilitate such reuse. This is a matter which requires to be considered against policy RA11 of the AVDLP and to the design guidance.
- 5.8 In looking at the principle of the conversion it is important to focus on policy RA11 of the AVDLP and policy C1 of the emerging VALP. Policy C1 of the VALP attracts moderate weight in the decision making process as it has been subject to a main modifications. Whilst the new scheme is considered an improvement from the previously refused scheme, removing the large extension and a number of new openings around the existing structures the proposals would still involve major reconstruction and fails to address the previous reason for refusal.
- 5.9 It is considered that the removal and replacement of the existing roof structure and materials of barn 1 and 2 (and in part barn 3), underpinning of columns, replacement of and strengthening the whole of the roof, rebuilding of part of the first floor east elevation and gable end of barn 2 and structural works to the first floor of Barn 2, and associated lowering of ground levels and the repair works to barn 3 including the overall refurbishment would result in major reconstruction contrary to the aforementioned policies. The proposed link between Barn 2 and Barn 3, would be small in scale, however as part of the wider scheme would further add to the effects resulting in the change to the simple agricultural character of the buildings.
- 5.10 The extent of new reconstruction works would be tantamount to the erection of a new dwelling outside the settlement, where development is strictly controlled.
- 5.11 Turning to the affect on the character and appearance of the proposal, Policy GP35 and Policy BE2 of the emerging VALP seeks proposals to respect and complement: a)The physical characteristics of the site and its surroundings including the scale and context of the site and its setting, b)The local distinctiveness and vernacular character of the locality, in terms of ordering, form, proportions, architectural detailing and materials, c)The natural qualities and features of the area, and d)The effect on important public views and skylines. This emerging policy has been the subject of objections and the Inspector requested main modifications and confirmed that he is satisfied they remedy the objection such that this policy can be given moderate weight.
- 5.12 The Design Guide 2 'The Conversion of traditional Farm Buildings' notes that too many doors and windows will devalue the character of traditional farm buildings and that of the environment:

“The simplicity of traditional farm buildings should be retained in any conversion. Agricultural buildings are characterised by a few window and door openings. Conversion to a single dwelling house is generally preferable to the creation of more than one dwelling since this will usually involve fewer new window and door openings. New window and door openings should preferably be located on ‘inside’ elevations away from public view. Apart from primary wagon door openings, windows and doors are commonly small and insignificant on agricultural buildings. In conversions, designers will be expected to follow the type, proportion and detail of existing openings. The position and size of existing openings should also be taken into account when determining the accommodation to be provided within the building.”

- 5.13 Design Guide 2 also notes that importance that farm buildings are preserved in their original form without alien additions or alterations, resisting the extension to the original building.

Barn 1

- 5.14 The alterations to barn 1 have remained similar to that previously proposed. With regards to the insertion of windows, Barn 1 would have a new window on the southern elevation, with two windows unblocked in which these would be considered new openings due to the aesthetic changes. As such, while there would be a small number of new openings proposed for this barn, the cumulative impact through the extent of glazing proposed (particularly in the southern elevation) is considered to have a detrimental impact on the character and appearance of this barn and that of the wider complex.
- 5.15 Whilst the agent for the scheme has provided further information in relation to the glazing, stating that it will be non-reflective glass set into the openings with minimal framing, the scheme is almost identical to the previous scheme and therefore it is still considered that the extent of glazing would have a detrimental impact on the character appearance of the barn and wider context.

Barn 2

- 5.16 With regards to barn 2 the extent of glazing on the west elevation is considered to have a detrimental impact on the setting of this barn, in a similar way to that on the southern elevation on Barn 1, where the cart opening will be lost.

Barn 3

- 5.17 Barn 3 remains almost identical to the previous scheme with the timber clad link between barn 2 and 3. The single storey ‘link’ extension between Barns 2 and 3 would appear subservient to the original barns and be constructed of materials which are sympathetic to the barns. The use of timber boarding is considered acceptable in principle, given that timber is a commonly used material in the context of agricultural buildings.’, this element of the scheme was previously considered acceptable and the officer concurs with this view. It is considered that the insertion of the 2 windows on

the southern elevation of Barn 3 would add to altering its character and appearance. It is therefore considered that the overall impact of the link and the extent of glazing would be harmful to the character and appearance of the building.

- 5.18 Overall it is therefore considered that due to the extent of glazing and alterations to the buildings that the scheme would detract from the existing agrarian character and appearance of the buildings contrary to the detriment of the rural character and appearance of the area contrary to policies GP35 and RA11 of the AVDLP, policies C1 and BE2 of the emerging VALP, the Design Guide on 'The Conversion of traditional Farm Buildings' and the NPPF.
- 5.19 It is recognised that a single new dwelling is proposed making a modest addition to the Council's housing stock and this is a benefit of the scheme. However, it should also be noted that the Council can currently demonstrate a 5-year housing land supply as set out above. Given the scale of the development this matter can therefore only be afforded very limited weight.

Historic environment

- 5.20 Paragraph 192 of the NPPF states that in determining applications, local planning authorities should take into account the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.
- 5.21 Policy GP.35 of the AVDLP 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. Policy BE1 of the emerging VALP seeks to support development proposals that do not cause harm to, or which better reveal the significance of heritage assets; This emerging policy has been the subject of objections and the Inspector requested main modifications and confirmed that he is satisfied they remedy the objection such that this policy can be given moderate weight.
- 5.22 The heritage officer has considered that the buildings on site, except for the former latrine and stables, are considered to be non-designated heritage assets. An application was submitted to the Secretary State for Digital, Culture, Media and Sport to formally list the buildings as a designated heritage assets. While the listing was unsuccessful, it is recognised that this building is a non-designated heritage asset.
- 5.23 The buildings are in a poor state of repair and continue to deteriorate. The NPPF and Council's policies, including policy BE1 of the emerging VALP, state that proposals which affect the significance of a non-designated heritage asset should be properly considered, weighing the direct and indirect impacts upon the asset and its setting. There will be a presumption in favour of retaining heritage assets wherever

practical, including archaeological remains in situ, unless it can be demonstrated that the harm will be outweighed by the benefits of the development.

- 5.24 The Council's Heritage officer has reviewed the current scheme and considers that the application would cause no harm to the significance of the Non-designated heritage asset and would enable its continued survival due to the repair works and the reuse of the building and would therefore comply with the NPPF subject to a condition for samples, including surfacing and for details of repairs. However, for reasons highlighted in the previous sections of the report above the proposals are not considered to be acceptable in principle and therefore the positives of conserving the heritage asset are not considered to outweigh the conflict with policy and the negatives associated with the scheme. The scheme however would attract limited positive weight with regards to conserving and enhancing the historic environment.

Economic Impacts

- 5.25 There would be some limited economic benefits associated with the development arising from the construction phase, albeit time limited. The enlarged dwelling could facilitate an increased level of occupancy which could deliver a very small scale benefit to the local economy. These matters are therefore afforded limited positive weight in the planning balance.

Transport matters and parking

- 5.26 It is necessary to consider whether the proposed development is located where the need to travel will be minimised, the use of sustainable transport modes can be maximised and that safe and suitable access can be achieved, taking account of the guidance in the NPPF.
- 5.27 AVDC's parking policy GP24 of the AVDLP requires that new development accords with published SPG parking guidelines. Policy RA36 of the AVDLP states in considering proposals for development in the Rural Areas the Council will have regard to the desirability of protecting the characteristics of the countryside from excessive traffic generation, including the need to avoid traffic increases and routing unsuited to rural roads.
- 5.28 Policy T1 of the emerging VALP states that there is an emphasis on encouraging modal shift with greater use of more sustainable forms of transport and improving the safety of all road users. Policy T6 of the emerging VALP states that development must provide the appropriate level of parking. These policies have been the subject of objections and the Inspector requested main modifications and confirmed that he is satisfied they remedy the objection such that these policies can be given moderate weight.
- 5.29 The location of the site is not ideal with regards to sustainable travel as it is expected that future occupants of the site would be heavily reliant on private car use to access the site, with limited linkages for pedestrians to Great Brickhill. Cycling to and from

the application site is possible, however overall, the site is not considered to be a sustainable location or to promote sustainable use of transport in association with the provision of further residential development.

5.30 The provision of at least three car parking spaces is possible within the curtilage of the proposed dwelling. No highways concerns have been raised. Therefore, it is considered that the proposal would not lead to highway safety concerns.

5.31 The proposals are located in an unsustainable location with regards to transport however, it is recognised that the Framework supports the principle of farm diversification and that accessibility to non-car modes will not be as good in rural areas. The total parking provision is considered to comply with AVDLP Policy GP.24 and this factor should be afforded neutral weight in the overall planning balance.

Impact on Public Rights of Way

5.32 Policy GP.84 of the AVDLP seeks to ensure the protection of existing Public Rights of Way.

5.33 Policy C4 of the emerging VAP states that the council will enhance and protect public rights of way to ensure the integrity and connectivity of this resource is maintained. This policy is to be given moderate weight in the decision making process, the policy has been the subject of objections and the Inspector requested main modifications and confirmed that he is satisfied they remedy the objection.

5.34 The application site and its access uses a track which is connected to a Public Right of Way. The public rights of way officer has stated that the new property is likely to generate in the region of 5 movements per day for a single new property and this would not justify requesting specific footpath surface improvements. They have also stated however that there would be additional inconvenience for pedestrians having to step aside when confronted by the additional vehicles generated and while this is likely to be small there is no information relating to the suitability of the access width to accommodate two passing vehicles or sufficient passing places for the additional vehicles.

5.35 The proposals are for 1 additional dwelling and therefore given the scale of the proposals and how remote the dwelling is, it is not considered that they will impact on the Public Right of Way or have highways safety concerns and are considered acceptable.

Amenity of existing and future residents

5.36 The NPPF at paragraph 127 sets out guiding principles for the operation of the planning system. One of the principles set out is that authorities should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

- 5.37 AVDLP policy GP.8 states that permission for development will not be granted where unreasonable harm to any aspect of the amenities of nearby residents would outweigh the benefits arising from the proposal.
- 5.38 Policy BE3 of VALP seeks to protect the amenity of existing residents and achieve a satisfactory level of amenity for future residents. This policy is to be given considerable weight as whilst there are objections, the inspector has not requested main modifications and therefore can be regarded as being resolved.
- 5.39 Barn 1 would not have any windows serving habitable rooms facing north towards the adjacent dwelling. Barn 3 would have an existing window reinstated (albeit obscured) with cosmetic alterations which would see two sets of doors restored; however these would not be functional as the wall behind these doors would be blocked up. No habitable room windows are proposed on the northern elevation of Barn 2. The proposed extension to Barn 2 would be located approximately 20 metres respectively from the southern edge of the existing dwelling, however this would be largely out of view. These distances, as well as the respective siting and scale of the extensions and development, are considered sufficient as to not unduly affect the amenity of the adjoining existing dwelling to the north.
- 5.40 There is also considered to be sufficient amenity space within the application site for the future occupants of the residential unit, together with the existing dwelling.
- 5.41 The proposals are therefore not considered to have an unacceptable impact upon the amenity of the adjoining Park Farm dwelling to the north, and considered to be compliant with Policy GP8, policy BE3 of the emerging VALP and the NPPF. This is afforded neutral weight in consideration of the planning balance due to absence of harm.

Flooding and drainage

- 5.42 Policy I4 of VALP ensures that all developments are designed to minimise the risk of flooding on site and elsewhere. This policy is to be given moderate weight in the decision making process the policy has been the subject of objections and the Inspector requested main modifications and confirmed that he is satisfied they remedy the objection.
- 5.43 The site is located in a flood zone 1, however the site is also located in an area of high susceptibility to surface water flooding.
- 5.44 The SUDs officer has reviewed the application and the information provided and has concerns over surface water disposal, stating that the scheme proposes to manage surface water through soakaways and whilst ground investigations have been conducted this has not provided sufficient information to support an infiltration based scheme. The development also only involves minor increase in footprint, the link between building 2 and 3, and conditions could be imposed to require this detail should the LPA consider the scheme for approval. Overall it is considered that the scheme does little to exacerbate the existing ground conditions on site and with the

use of conditions the scheme can be mitigated against. It is therefore considered that this matter be given neutral weight in the decision making process in line with the absence of harm.

Ecology

Biodiversity

- 5.45 Policy NE1 of the emerging VALP states that a net gain in biodiversity on minor and major developments will be sought by protecting, managing, enhancing and extending existing biodiversity resources, and by creating new biodiversity resources. Policy NE8 of the emerging VALP seeks to ensure that development enhances and expands on the districts tree and woodland resource.
- 5.46 These policies are to be given moderate weight in the decision making process as the policy has been the subject of objections and the Inspector requested main modifications and confirmed that he is satisfied they remedy the objection
- 5.47 As part of the application an Ecology survey has been submitted which includes bat emergence surveys and a Great Crested Newt (GCN) survey. With regards to GCNs, no GCNs were discovered as part of the survey, however the applicant has agreed to precautionary measures which have been reviewed and agreed by the Council's Ecology team.
- 5.48 With regards to Bats, the evidence from the emergence surveys notes that 'the L-shaped series of outbuildings to the south-west of the farmhouse (B 1) is used as a day roost by a small number of Common Pipistrelle bats, which appear to roost within the roof under roof tiles at the enclosed eastern part of the building. The large brick-built barn (B2) is used as a day roost by a small number of Common Pipistrelles, and as a feeding roost by a single Brown Long-eared bat. The bats are likely to roost under roof tiles inside the loft, although this area could not be fully inspected. The brick-built former stables (B3), was not being used by roosting bats.'
- 5.49 As set out in the above it is considered that the development is likely to have an impact on bats and roosts and therefore the LPA is required to assess whether or not it is likely to receive a license from Natural England and whether or not the requirements of regulation 53 of The Conservation of Habitat and Species Regulations 2017 (as amended), and in particular, the three tests set out in subparagraphs (2)(e), (9)(a) and (9)(b)6.
- 5.50 Test 1: Regulation 53(2)(e) states: a licence can be granted for the purposes of "preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment".
- 5.51 Test 2: Regulation 53(9)(a) states: the appropriate authority shall not grant a licence unless they are satisfied "that there is no satisfactory alternative"

- 5.52 In respect of tests 1 and 2 the development has been assessed as having potential for use of a non designated heritage asset and therefore some public benefits would be achieved in the event that the scheme complied with policy RA11 and led to the retention and reuse of this non designated heritage asset . Some limited positive weight has been given to the economic benefits of the development should it have been recommended for approval. In the event of a recommendation for approval these reasons are considered to demonstrate compliance with the above tests.
- 5.53 Test 3: Regulation 53(9) (b) states: the appropriate authority shall not grant a licence unless they are satisfied "that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range."
- 5.54 With regards to the third test, the applicants have proposed mitigation in the form of 3 permanent bat bricks in the southern gable of the farmhouse and three temporary bat boxes placed on trees in the garden before construction starts. The Council's Ecology Team have reviewed these proposals and consider them to be acceptable should permission be recommended and that they would not cause harm to the protected species. A favourable conservation status of the species would remain.
- 5.55 Overall it is considered that the development could meet the 3 tests above if permission was recommended for approval and with the input of the Council's ecology department that the impacts on ecology are acceptable with the inclusion of the proposed mitigation.

Trees Impacts

- 5.56 The scheme involves the loss of 5 trees on the site, noted as being low quality; this has been reviewed by the Council's Trees officer. The tree's officer has not raised any concerns in relation to the loss of the trees and it is considered the proposal would not unduly impact on important trees or hedgerows and it is therefore considered to accord with policies GP39 and GP40. A pre-commencement condition relating to tree protection measures however would have been recommended to assist in the protection of trees through the consultation process should the application have been supported. There are a large number of trees located around the site which will remain following the development.

Conclusion

- 5.57 It is considered that there will be harm to protected species as identified above but after consultation with the council's Ecology Team, they are satisfied that these can be appropriately mitigated as described above and with the use of planning conditions. Therefore whilst there will be harm to ecology this is offset by mitigation and therefore is given limited negative weight in the planning balance.

Infrastructure and Developer Contributions

- 5.58 The proposals are for 1 additional dwelling and therefore would be below the threshold for developer contributions

6.0 Weighing and balancing of issues / Overall Assessment

- 6.1 This section brings together the assessment that has so far been set out in order to weigh and balance relevant planning considerations in order to reach a conclusion on the application.
- 6.2 In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to:
- a. Provision of the development plan insofar as they are material,
 - b. Any local finance considerations, so far as they are material to the application (such as CIL if applicable), and,
 - c. Any other material considerations
- 6.3 As set out above it is considered that the proposed development would not accord with development plan policies RA11 and GP35 of the AVDLP and policies C1 and BE2 of the emerging VALP. The proposed works would detract from the agrarian character of the existing buildings as well as the character and appearance of the rural area and would involve significant rebuilding. It is therefore recommended that the application be refused.
- 6.4 Local Planning Authorities, when making decisions of a strategic nature, must have due regard, through the Equalities Act, to reducing the inequalities which may result from socio-economic disadvantage. In this instance, it is not considered that this proposal would disadvantage any sector of society to a harmful extent.

7.0 Working with the applicant / agent

- 7.1 In accordance with paragraph 38 of the NPPF (2019) the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments.
- 7.2 The Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application.
- 7.3 In this instance
- The application will be considered by the Planning Committee where the applicant/agent has the opportunity to speak to the committee and promote the application.

- The applicant was informed/ advised how the proposal did not accord with the development plan, that no material considerations are apparent to outweigh these matters.

8.0 Recommendation

8.1 It is recommended that the proposals are REFUSED for the following reason:

1) The proposed development by virtue of its design and extent of works to the existing barns, including the rebuild, glazing and alterations to the buildings, would detract from the existing agrarian character and appearance of the buildings to the detriment of the rural character and appearance of the area. The development would not be in accordance GP35 and RA11 of the AVDLP, policies C1 and BE2 of the emerging VALP, the Design Guide on 'The Conversion of traditional Farm Buildings' and the NPPF.

Appendix A: Consultation Responses and Representations

Appendix B: Site Location plan

APPENDIX A: Consultation Responses and Representations

Councillor Comments

Ex Councillor Neil Blake:

Comment: I support this application as it seems to meet both our, and the NPPF, guidelines and policies in respect of the re-use of redundant barns in a rural location.

Great Brickhill Parish Council has also supported the application and so, should officers be minded to refuse it, I would request that a wider group of members decide on the outcome.

Councillor Ben Everitt:

Comment: I'm told that officers are recommending this is refused, despite it having the support of all the consultees, including the PC and the heritage / conservation teams.

I may be missing something here, but as far as I can tell, if everyone is ok with this, there should be no reason to refuse.

Parish/Town Council Comments

Great Brickhill Parish Council:

Great Brickhill Parish Council stated that they support the development of dilapidated heritage buildings regarding the above application. They would like to add that they will be represented at a planning meeting should the need arise.

Consultation Responses

Buckingham and River Ouzel Drainage Board –

No comments

Heritage Officer –

08/11/19 – Amendments requested

30/01/20 –

Consider the application would cause no harm to the significance of the Non designated heritage asset, however would enable its continued survival due to the repair works and the reuse of the building, it would therefore comply with the NPPF

A condition for samples, including surfacing and for details of repairs would be applicable

Rights of way

New property likely to generate more movements to property – not considered to require specific footpath requirements due to scale.

Whilst vehicle generation likely to be small, no information regarding the suitability of the access width to accommodate two passing vehicles or sufficient passing places for the additional vehicles has been provided. There would be additional inconvenience for pedestrians having to step aside when confronted by the additional vehicles generated. Requests more information in relation to this.

Ecology –

06/11/19 – Objection – application needs to be supported by an updated Ecological assessment

19/12/19 – No objection – Following the submission of a revised Ecological assessment no objection subject to conditions.

Trees Officer –

No objections subject to pre-commencement condition relating to tree protection measures.

Building Control (Structural Engineer) –

It is clear that there is a significant amount of work to complete at the property before it could be considered as habitable. Unable to view the site first hand due to the Coronavirus outbreak and therefore input can only be limited, however conclude that the case is a borderline rebuild.

APPENDIX B: Site Location Plan

