



Appeal Decision

Site visit made on 19 October 2020

by David Carter BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th December 2020

Appeal Ref: APP/J0405/W/20/3245734

Lenborough Farm, Hillesden Road, Gawcott MK18 4BX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr William Bussell against the decision of Aylesbury Vale District Council.
 - The application Ref 19/02095/APP, dated 3 June 2019, was refused by notice dated 31 July 2019.
 - The development proposed is a farm-storage building. Oak framed and weatherboarded, two open bays and one secured bay for storage of agricultural equipment.
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Decision

1. The appeal is allowed and planning permission is granted for a farm storage building for the storage of agricultural equipment at Lenborough Farm, Hillesden Road, Gawcott MK18 4BX in accordance with the terms of the application, Ref 19/02095/APP, dated 3 June 2019, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The external surfaces of the development hereby permitted shall be constructed in the materials shown on the approved plans.
 - 3) Notwithstanding the provisions of Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), the building approved shall only be used for agricultural purposes and for no other purpose(s).

Preliminary Matters

2. The description of the proposed development was simplified on the Decision Notice and Appeal Form to, "Farm storage building for the storage of agricultural equipment". Since this was adopted by the appellant on the appeal form, I have determined the appeal on this basis.
3. The Aylesbury Vale District Local Plan was adopted in 2004 (AVDLP). The review of the local plan, the Vale of Aylesbury Local Plan (VALP) is at an advanced stage. The public hearings of the Examination were held in July 2018 and, as at October 2020, I understand that the Main Modifications have yet to be finalised. Until the new plan is adopted the policies set out in the VALP carry limited weight.

4. Following a reorganisation, Aylesbury Vale District Council has merged, with others, to form the new Buckinghamshire Council. Accordingly, all references to the Council in this decision refer to Buckinghamshire Council after 1 April 2020.

Main Issue

5. The main issue in this appeal is the effect on the rural character and appearance of the area having regard to whether the agricultural need justifies the scale of the proposal.

Reasons

6. The new storage building would be a traditional green oak framed timber clad building with a plain clay tile roof. It would form part of a group of buildings associated with Lenborough Farm including, directly adjacent, recently converted agricultural buildings including new dwellings. Those buildings were not within the ownership of the appellant and therefore never an option for the required storage.
7. The Council have queried the size (54m²) of the proposed storage building on the grounds of the modest size of the agricultural holding. The proposed building would comprise 2 bays with open fronts as well as a fully enclosed section where small tools and equipment would be securely stored. The 2 open bays would accommodate a small tractor, a trailer and a mower. At present the land is maintained as a meadow but the appellant has indicated a longer-term intention to use the land as a vineyard and for livestock.
8. In these circumstances, it appears to me that the dimensions, including the height, of the proposed building would not be unreasonable. The statement of case by the appellant confirms the proposed building would be used for agricultural not, domestic purposes. Furthermore, its appearance would be that of a traditional, predominantly wooden agricultural building of an appropriate appearance adjacent to the existing grouping of buildings. In this context the new storage building would be an appropriate development within the countryside. While querying the scale of the proposal the Council have stated they accept some form of storage may be appropriate to meet the agricultural needs of the land.
9. It appears to me that the siting and appearance of the proposed building would be acceptable when viewed from close-up. The adjacent conversion is close (2m away) to the proposed building but there are no openings sufficiently close to obscure outlook. The appellant has also confirmed there would be no intention to house livestock within the proposed building which otherwise might have raised concerns over potential odours. An objector has suggested that there would be a harmful impact on longer views into the appeal site from Hillesden Road and The Barracks. I disagree with that suggestion since the distances to either road preclude any such harm and, from Hillesden Road the longer views would be largely obscured. Additionally, the agricultural appearance of the building would not detract from views across the wider landscape.
10. Accordingly, I find in terms of scale and need that the appeal proposal would represent an appropriate development for the purposes of agriculture and as such would be an appropriate development within the countryside without harm to the rural character and appearance of the area. Thereby, the appeal

proposal complies with Policy GP35 of the AVDLP and also with emerging Policy E9 of the VALP. Policy GP35 seeks to ensure that new development is sympathetic to its surroundings and respects and complements the character of a locality, aims that are carried through into the emerging VALP. I am also satisfied the appeal proposal is consistent with the approach in the Government's National Planning Policy Framework (The Framework).

Other Matters

11. The appeal site lies within the same grouping of buildings as Spinney Farm House which is a Grade II Listed Building and, as such, is a recognised designated heritage asset. S66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting the decision-maker shall have special regard to the desirability of preserving the building or its setting.
12. Section 16, paragraph 193 of the Framework states, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).
13. Spinney Farm House is a former C17 timber framed formerly thatched farmhouse with C19 and C20 alterations. While Spinney Farm House forms part of the grouping of buildings at Lenborough Farm, its positioning and distance from Spinney Farm House means there would be only limited oblique views. The appeal proposal would, therefore, cause no harm to the setting of Spinney Farm House.
14. Accordingly, having regard to the statutory test, I find that the proposed development would not have a harmful effect on the setting of Spinney Farm House, a Grade 2 Listed Buildings and would not harm its significance as a heritage asset. As such, the appeal proposal complies with the approach to conserving and enhancing the historic environment set in section 16 of the NPPF. The relevant policies in the AVDLP have not been saved although, the approach to conservation in Policy BE1 of the emerging VALP is consistent with the approach in the Framework.
15. An objector to the proposal has referred to the adjacent buildings converted to residential use being a non-designated heritage asset. Since the appeal proposal would meet an agricultural need and, is of an appropriate design and scale for its intended use, it appears to me that it would appear as part of the group of buildings that have historically formed Lenborough Farm. On this basis, I find that the appeal proposal would not have a harmful effect on the setting of the non-designated heritage asset.
16. A further objection raised the potential for rainwater running off the roof of the proposed building causing issues to the adjacent converted property. However, given the gap between the proposed storage building and the adjacent building this should not be problematic.

CONDITIONS

17. The Council helpfully provided suggested conditions should I allow the appeal. I have considered the suggested conditions in relation to the Framework and the

PPG and made amendments as appropriate. The conditions are reasonable and necessary to make the approved development acceptable.

18. Condition 1 refers to the standard time limit. This will provide certainty regarding the scope of the permission. Condition 2 confirms the external surfaces shall accord with those specified on the plans submitted with the planning application. This is to protect the character and appearance of the area. Condition 3 ensures that the proposed building shall only be used for agricultural purposes through the removal of permitted development rights.

Conclusion

19. For the reasons stated above the appeal is allowed, subject to conditions.

David Carter

INSPECTOR