

Appeal Decision

Site visit made 1 July 2022

by Steven Hartley BA (Hons) Dist.TP (Manc) DMS MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 15th August 2022

Appeal Ref: APP/J0405/D/22/3293497

Littlecote Farm, Littlecote, Stewkley MK18 3LN

- 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 B Hedges (ACH Planning Ltd) against the decision of Buckinghamshire Council.
 - The application Ref: 21/01995/APP, dated 11 May 2021, was refused by notice dated 21 January 2022.
 - The development proposed is an open porch, garden shed and the conversion and extension of a garage and loft space.
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Decision

1. The appeal is allowed, and planning permission is granted for an open porch, garden shed and the conversion and extension of a garage and loft space at Littlecote Farm, Littlecote, Stewkley, MK18 3LN in accordance with the terms of application 21/01995/APP, dated 11 May 2021, and subject to the following conditions:
 - i)The development hereby permitted shall begin no later than three years from the date of this decision.
 - ii)The development hereby permitted shall be carried out in accordance with the following approved plans: proposed plans & elevations (No2); ACH.SHED 21.6 – proposed garden/cycle store; LCFS.LP1250 – location plan and LCFS.SP500 – site plan.

Application for Costs

2. An application for costs was made by Mr B Hedges (ACH Planning Ltd) against Buckinghamshire Council. This application is the subject of a separate decision.

Main Issue

3. The main issue is whether in the context of the approved agricultural workers dwelling on the site, there is an essential need for the proposed development and whether, overall, the development would amount to the provision of sustainable development.

Reasons

Sustainability

4. The householder application relates to a detached, single storey, brick-built bungalow located in open countryside, first granted permission under application 99/00781/APP and which, by condition, removed certain permitted development rights and limited its occupancy to an agricultural worker.
5. The proposed development includes an open oak framed porch, a garden shed, and the conversion of the garage by the removal of the garage door and its replacement with two windows and a dormer at first floor level. It also proposes the use of the loft space to create additional bedrooms. Dormers are proposed on the front elevation, the side elevation, with roof-lights proposed on the rear and side elevations. The proposal would involve raising the roof in parts. The proposed shed would be about 3.6m in width and 6.0m in depth with a height of 3.4m.
6. The proposed development would convert the dwelling to better accommodate the family members who currently occupy it. The appellant is in his mid-eighties and after twenty two years of running the farm, has found doing so more challenging. To provide extra assistance, his son and family have moved into the dwelling to provide support to the running of the farm (following a planning refusal for a separate dwelling on the holding). The proposal to use the roof space would help to create more bedroom space to accommodate the family members now living in the house.
7. Policy S1 of the Vale of Aylesbury Local Plan 2021 (VALP) requires all development to comply with the principle of sustainable development set out in the National Planning Policy Framework 2021 (the Framework). Policy S3 requires new development to comply with its settlement hierarchy and to comply with policy S1.
8. The Framework states that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). They include economic, social and environmental components.
9. The dwelling already exists, and the appellant in his Design and Access Statement indicates that the additional volume would be 6.8%. This has not been disputed by the local planning authority (LPA). I consider that this would be a modest increase in volume.
10. The changes are for the benefit of the existing occupants, and I have no evidence before me that it would lead to any significant additional car journeys to facilities and services, or to a material increase in additional visitors to the property. In these respects, I find that the proposed development would not be unsustainable with respect to the policies in the Framework.
11. Therefore, I conclude that the proposed development would accord with policy S1 of the VALP and with policy S3 in so far as it requires compliance with policy S1 and with the Framework in relation to sustainability.

Need

12. The occupancy of the existing dwelling is restricted by condition to an agricultural worker. Policy H3 of the VALP states that *'the council will not permit dwellings that are unusually large in relation to the agricultural, forestry or rural business needs of the unit, with net useable floor space not normally larger than 180 sqm for the initial dwelling and 120 sqm for each dwelling thereafter. This threshold excludes garaging but including associated offices such as a farm office'*. The LPA considers that the existing dwelling has a footprint of some 200m².
13. Policy H3 refers to new dwellings rather than to extensions. In addition, the policy does not impose a firm upper limit to the size of such dwellings and permits some flexibility. While the proposed development would lead to an increase in the original net useable floor space, it would not lead to any significant increase to either the footprint of the property or to such floor space.
14. I have no reason to doubt that there continues to remain an essential agricultural need for the dwelling on the site. The extensions and alterations would result in a very modest increase in its size, and I am satisfied that the appellant has provided acceptable personal reasons as to why additional floorspace is needed.
15. In addition, the agricultural worker's dwelling already exists and the proposed development would not cause any demonstrable harm to matters relating to design, or to the character and appearance of the area. Therefore, in this case, I do not find that it would be reasonable to withhold planning permission based on a marginal increase in the overall size of the dwelling on the site.
16. For the above reasons, I conclude that there would not be conflict with policy H3 of the VALP.

Other Matters

17. In its officer report, the LPA raises no objections regarding the design of the proposed development, to its impact upon the character and appearance of the area, regarding highway safety or the impact upon the living conditions of the occupants of other properties. I have no reason to disagree with these conclusions.
18. The appeal property is within approximately 192m from the Grade II listed Littlecote Dairy Farm (LB). In this case, given the separation distance of the appeal site from the LB, I do not find that the proposals would cause any harm to its setting or to any other heritage asset.

Conditions

19. I have imposed the standard time condition and a condition to ensure the development is in accordance with the approved plans in the interests of certainty.

Conclusion

20. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

Steven Hartley

INSPECTOR