



Appeal Decision

Site visit made on 10 January 2023

by V Simpson BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 February 2023

Appeal Ref: APP/J0405/W/22/3302694

The Grain Store, Winslow Road, Granborough MK18 3NQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by Mr C Millard against Buckinghamshire Council.
 - The application Ref 21/04361/APP, is dated 10 November 2021.
 - The development proposed is the removal of existing structures and the erection of a single storey workshop and reception building and ancillary works.
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Decision

1. This appeal is allowed and planning permission is granted for the removal of existing structures and the erection of a single storey workshop and reception building and ancillary works, at The Grain Store, Winslow Road, Granborough MK18 3NQ, in accordance with the terms of the application Ref 21/04361/APP, dated 10 November 2021, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: MIL 426 SUR 400, MIL 426 SUR 420, MIL 426 PA 500, MIL 426 PA 510 and MIL 426 BEDD 01.
 - 2) The clearance and construction phases of the development shall be carried out in accordance with the actions recommended within 5.2.4, and 5.3.2 of the preliminary bat and bird assessment prepared by Greenwood Environmental and dated 5 December 2020. Prior to the first use of the building, the actions identified at 5.2.6, 5.3.3 and 5.3.4 of the same report shall be completed.
 - 3) No goods including raw materials and finished products, either for sale, display or storage, shall be placed or kept externally within the site.
 - 4) Prior to the installation of any external lighting within the site, details of any such lighting shall be submitted to and approved in writing by the Local Planning Authority. The development shall subsequently be carried out in accordance with the approved details.

Application for costs

2. An application for costs was made by Mr C Millard against Buckinghamshire Council. This application is the subject of a separate decision.

Preliminary Matters

3. Within the appeal documentation, the road to the front of the appeal site is variously described as Granborough Road and Winslow Road. For clarity, within this decision it is referred to as Winslow Road.
4. Plan reference MIL 426 PA 500 includes a proposal to make a connection to an existing soakaway and sewage treatments plant. The indicated soakaway and treatment plant are on land outside of the application site as indicated on the amended site location plan reference MIL 426 SUR 400 which formed one of the plans that the Council made their decision on. The Council made their decision against the amended plan, and I shall proceed on that basis also.

Main Issues

5. Within its statement of case, the Council indicates that had an appeal not been lodged, it would have refused the application. Putative reasons for refusal have been provided which identify the authority's concerns.
6. The main issues are;
 - The effect of the development on the character and appearance of the area; and
 - whether the appeal site would be a suitable location for the proposed development, with particular regard to the local development strategy.

Reasons

Character and appearance

7. The appeal site comprises a relatively flat parcel of land. It is located adjacent to Winslow Road, in open countryside between the settlements of Winslow and Granborough. At the time of my visit the site was mainly being used for the external storage of furniture. Access to the site from Winslow Road is via an existing vehicular access, which also serves a large former agricultural building located beyond the rear site boundary furthest from Winslow Road. There are fields surrounding the site and the wider area is characterised by its undulating topography, and a small number of farmsteads, other rural buildings and electrical infrastructure. Together, these inform the pleasant pastoral, but not isolated, rural character and appearance of the appeal site and its setting.
8. On approach from both directions along Winslow Road, substantial hedgerows obscure views into the appeal site. These hedgerows which are on the boundaries of the land under the control of the appellant, would also shield much of the proposed low single storey building from view, when approaching along the public highway. There is no intention to remove the hedgerows, and furthermore I note that additional tree and hedgerow planting is being proposed.
9. Notwithstanding the presence of the roadside boundary fencing and hedging, the proposed building would be clearly visible by users of Winslow Road when they are directly adjacent to the site entrance. It may also be discernible from more distant public vantages to the east of Winslow Road. However, from such positions it would be read in the context of the larger and significantly taller former agricultural building which is adjacent to and in close proximity of the appeal site. As such, the proposed building would not be viewed in isolation.

10. The proposed building would be larger than the buildings that previously occupied the site. Nevertheless, it would be significantly smaller than the nearby former agricultural building. The development would have a simple and functional appearance. It's low height and close proximity to the large former agricultural building, would ensure that it would not be overly prominent within its setting.
11. For the reasons set out above, the development would not harm the character and appearance of the area. In this respect, I find no conflict with policy BE2 of the Vale of Aylesbury Local Plan – 2021 (the Local Plan) which amongst other things seeks to ensure that new development proposals respect and complement the physical characteristics of the site and its setting as well as the local distinctiveness and vernacular character of the locality. The scheme would also comply with policies RC2 and RC3 of the Garncborough Neighbourhood Plan 2022 where they require development to be of a high-quality design, which is appropriate to the scale, nature and location of the site and landscape. It would also comply with the parts of chapter 12 of the National Planning Policy Framework (the Framework) and policy C1 of the National Design Guide, which indicate that development should function well; be visually attractive and sympathetic to local character; and respond positively to the features of the site itself and the surrounding context beyond the site boundary.

Location of development

12. It is agreed by the 2 main parties that the prior approval has been granted for the conversion of the large former agricultural building which is adjacent to the appeal site, to accommodate both a dwelling and for storage purposes as part of a live-work unit. From the evidence and my observations on site, I accept that the building is at least in part in use for storage and distribution purposes associated with the operation of the appellant's business which specialises in antique furniture.
13. Policies S1, S2 and S3 of the Local Plan offer general support for developments, including the provision of employment land and associated infrastructure, which comply with the principles of sustainable development. Unless it would help to support thriving rural communities, these policies generally direct new development towards settlements, and away from those countryside locations where it would compromise the character of the countryside between settlements.
14. Policy D6 of the Local Plan indicates that employment development will be generally supported in sustainable locations where; the development is for an intensification or extension of existing premises; it is a well-designed replacement building which is appropriate to its context; or where, in rural locations, the location is essential for that type of business.
15. Paragraph 84(a) of the Framework offers support for proposals that would facilitate the sustainable growth and expansion of an existing business in a rural area by the provision of a well-designed new building. Paragraph 85 of the same document recognises that sites to meet local business and community needs in rural areas may have to be found beyond existing settlements and in locations not well served by public transport.
16. The proposed development would provide space to undertake both cleaning and restoration operations and administrative tasks, in association with the

appellants antique furniture business. It would enable the six existing staff to be accommodated safely in their workplace whilst minimising viral risks and providing sufficient space to work with larger pieces of furniture.

17. Although a snapshot in time, during my site visit, a substantial amount of tarpaulin covered furniture was being stored externally within the appeal site, where it was subject to risk from weather-related damage. Although on the evidence before me I cannot be certain that the adjacent building is being used to full capacity, I have no reason to doubt that if there was space to store additional furniture inside of that building which is under the appellants control, and at least partially used in connection with his antiques business, then this would occur.
18. The nearest settlement of Granborough is identified within the Local Plan as a small village with relatively poor access to services and facilities. Whilst no cogent case has been presented demonstrating why the development could not be located within a settlement, I attach significant weight to the fact that the appellant is already running an existing business enterprise on land adjoining the appeal site. With no increase in employment levels anticipated, and no showroom proposed, I cannot conclude that the proposed development would lead to a significant increase in the numbers of movements (of people or vehicles) to or from the site. Furthermore, the bringing together of the workshop and storage buildings to one location, would enable the business to secure greater efficiencies and eliminate the need for vehicle movements. Therefore, and whilst the appeal site is located outside of a defined settlement as identified within the Local Plan, I find that its countryside location does not preclude the proposal from representing a form of sustainable development which would support existing employment levels whilst providing a good working environment.
19. The evidence suggests that the buildings which previously occupied the site took the form of a stable and storage buildings. I have found the development proposal to be acceptable in principle, under the other policies discussed above. Therefore, whether or not the site is previously developed land is not determinative to the outcome of the appeal.
20. Consequently, I find the appeal site to be a suitable location for the proposed development with particular regard to the local development strategy. In this respect it would not conflict with the objectives of policies S1, S2, S3 and D6 of the Local Plan, where they seek to deliver sustainable development and support employment development. It would also comply with the objectives of chapters 2 and 6 of the Framework to achieve sustainable development and to help to support a prosperous rural economy.
21. No compelling evidence has been provided to conclude that the appeal site represents PDL as defined within the amplification of Policy S7 and the Framework. Therefore, policy S7 of the Local Plan, which relates to PDL is not determinative to this appeal.

Conditions

22. The Council have suggested 7 conditions. The wording of the conditions has been amended where appropriate. This is to improve precision and enforceability.

23. Although the application form indicates that the development has not been commenced, at the time of my site visit the three structures indicated on drawing numbers MIL 426 SUR 420 and MIL 426 PA 500 were no longer found to be present. Furthermore, the appellant has confirmed that they have been removed. Given that the description of the development includes the removal of existing structures, and on the evidence before me, I consider that the development has been commenced. As such I have no need to impose a time-period for implementation condition.
24. For clarity, a plans condition is imposed which identifies the plans to which this permission relates. The plans include details of external materials to be used in the construction. It is not therefore necessary to add a separate condition requiring that the development be undertaken in accordance with the external materials indicated on the submitted plans.
25. Given the findings of the preliminary bat and bird assessment, it is reasonable to impose a condition requiring the implementation of the recommendations made within the assessment. This will avoid harm to any birds nesting on site and bats living in the locality.
26. To minimise the levels of vehicular traffic and in the interests of visual amenity and highway safety, a condition limiting the hours that the site is open to customers is suggested. However, I have found that the development would not lead to any significant increase in traffic movements to or from the site, and that it would not be harmful to the appearance of the area. Therefore, this condition is not necessary.
27. A condition preventing the external storage of goods within the site is imposed to protect the character and appearance of the area from unacceptable harm.
28. Given the sites rural location and the presence of bats within the area, a condition which would require the pre-authorisation by the Council for any external lighting is imposed.

Conclusion

29. For the reasons given above, this appeal is allowed and planning permission is granted subject to the conditions identified above.

V Simpson

INSPECTOR