



Appeal Decision

Site visit made on 14 February 2023

by D Wilson BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 March 2023

Appeal Ref: APP/J0405/W/22/3302756

Land adjacent to Cakeford, Little Horwood Lane, Great Horwood MK17 0NZ

- 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 & Mrs Jean Lewis-Evans against the decision of Buckinghamshire Council.
 - The application Ref 21/02040/APP, dated 27 April 2021, was refused by notice dated 21 January 2022.
 - The development proposed is change of use of existing barns and land from current mixed B1 Light Industrial and B2 general Industrial use to residential use, creating a 4-bedroom barn conversion dwelling, with separate double garage and stores.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - the effect of the proposed development upon the character and appearance of the area; and
 - whether the site is an appropriate location for the development proposed.

Reasons

Character and appearance

3. The appeal proposal concerns two buildings located next to the dwelling known as Cakeford. Cakeford is a large dwelling which occupies a large plot of land and shares the same access as the appeal buildings.
4. The appeal site is accessed from a rural road lined with mature hedgerows and trees. There are a few scattered dwellings nearby however the area is mostly agricultural and as such there is a distinctly rural character and appearance. The appeal buildings are used for commercial purposes and due to their simple construction and design they have a functional appearance. Due to their design and location they do not provide a particularly positive contribution to the rural character and appearance of the area.
5. The appeal buildings are visible from the road when looking directly into the site from the access, particularly the storage building which sits slightly forward of Cakeford. There are further views of the appeal site on approach from Little Horwood as a result of there being large gaps in the hedgerow that lines the road as well as field gates and low fencing. The appeal building to the rear of

the site is relatively long and projects to the rear of Cakeford. As a result, and due to the gaps in the hedgerows it is particularly prominent in the landscape on approach from Little Horwood both on foot and by car.

6. The proposed conversion works would include cedar cladding and a pleated zinc roof. Furthermore, large glass doors would extend across much of the width of the building, which combined with roof lights are not materials characteristic of the area. These materials are also at odds with the neighbouring dwelling, Cakeford which would further exacerbate the incongruity of the proposal.
7. The size of the proposed plot is relatively modest, as such space for a garden would be limited. Nonetheless, the space surrounding the building to the rear of Cakeford would likely be used for this purpose. Therefore, due to its prominence on approach from Little Horwood any domestic paraphernalia would be clearly visible and contribute to a domestic appearance of the site and as a result harm the rural character and appearance of the area.
8. As a result, the building would stand out on the landscape and give a domestic appearance which would appear incongruous and therefore cause harm to the distinctly rural character and appearance of the area.
9. The appellant raises concern that the Council have had regard to the Aylesbury Vale Design Supplementary Planning Document (SPD) which is no longer in force. However, whilst the Council have confirmed that it is an active document, as the extract provided to me relates to the conversion of traditional agricultural buildings and as the proposal does not relate to the conversion of an agricultural building, I have had no regard to it.
10. I note that Cakeford has been altered and extended with planning permission recently which does show rural environments are subject to change. However, the alteration of an existing dwelling significantly differs from the proposal to introduce an additional dwelling in this appeal.
11. I conclude that the proposal would cause harm to the character and appearance of the area. The proposal would therefore be contrary to Policies BE2 and NE4 of the Vale of Aylesbury Local Plan 2013-2033 Adopted Plan September 2021 (LP), which seek to ensure development respects and compliments the character of the area. The proposal would also be contrary to the aims of the National Design Guide and paragraph 174 of the Framework which seeks to ensure development is of high quality design and contributes to and enhances the natural and local environment.

Whether the site is in an appropriate location

12. The appeal proposal would be located outside of the defined settlement boundary of Great Horwood as identified within the NP. Policy 1 states that outside of the settlement boundary, development will not be supported except in certain circumstances. In this case, none of the circumstances apply and as such the proposed development would conflict with Policy 1.
13. Policy C1 of the LP allows the re-use of existing buildings providing that certain criteria are met including that the building is not located well away from existing settlements. The site is around 1km from Great Horwood and so is well away from the nearest settlement.

14. In addition, in this case, the appeal site is located off an unlit rural lane with no footpaths. As such whilst there may be a bus stop within half a mile, access by walking or cycling would be unappealing. Therefore, access to and from the site will be highly reliant on the use of a private motor vehicle.
15. I conclude that the development would be located in an unsuitable location. The proposal would therefore be contrary to Policy C1 of the LP and Policy 1 of the NP which set out the appropriate locations for development.

Other Matters

16. The Council have raised concerns in respect of whether the building is capable for conversion. As a result, the appellant has included a structural report with this appeal which provides some observations that the buildings are capable of conversion. However, as I have found the proposal is located well away from the nearest settlement it fails one of the criteria of Policy C1 and because this policy requires all criteria to be met, it conflicts with the policy as a whole. As such I do not need to consider whether the building is capable of conversion or not.
17. The appellant has referred to a nearby planning application in support of their appeal. I have not been provided with the precise information on this application however from the Council's statement of case it would appear that the principle of the change of use in that particular case was already established under Class P of the General Permitted Development Order 2015 (as amended). This differs from the appeal as there is no established principle of development and as such I give the nearby planning application limited weight.
18. I note that the appellant suggests that the land constitutes previously developed land and that the current use of the appeal buildings will continue if this appeal is dismissed, which may lead to potential noise and disturbance to the neighbouring dwelling and that there may be greater vehicle movements, including HGV's that have potential to generate more traffic than a single dwelling. However, there is little evidence to suggest this is likely.
19. The appellant refers to issues of providing rural housing with reference to conversions under Class Q of the General Permitted Development Order 2015 (as amended). As the proposal before me isn't a conversion under Class Q it is distinctly different and is assessed on a different basis.
20. The appellant has suggested that the proposal could be permitted development. However, this would still require the submission of an application for prior approval, so would not be guaranteed. As such it carries limited weight.
21. Some of the appellant's case concerns the conduct of the Council in allegedly providing a poor service during the consideration of the planning application including the length of time taken to consider the application. I note the appellant's frustration with the Council, but I must consider the proposal only on its planning merits.

Conclusion

22. For the reasons set out above, having had regard to the development plan read as a whole, and all other material considerations, I conclude that the appeal should be dismissed.

D Wilson

INSPECTOR