

Item No. 13

APPLICATION NUMBER	CB/17/00053/FULL
LOCATION	Wren House, Station Road, Ampthill, Bedford, MK45 2RE
PROPOSAL	Proposed barn for Office B1 Use
PARISH	Ampthill
WARD	Ampthill
WARD COUNCILLORS	Cllrs Duckett, Blair & Downing
CASE OFFICER	Annabel Robinson
DATE REGISTERED	09 January 2017
EXPIRY DATE	06 March 2017
APPLICANT	Mr Caldwell
AGENT	Aragon Land & Planning Ltd
REASON FOR COMMITTEE TO DETERMINE	Called in Councillor Duckett: The applicant believes he has a case for "PDL" (previously developed land) which he wants heard.
RECOMMENDED DECISION	Full Application - Recommended Refusal

Summary of Recommendation:

The application is recommended for refusal. The application fails to demonstrate Very Special Circumstances to justify the construction of a commercial office building within the South Bedfordshire Green Belt. The development fails to comply with the exception criteria set out within Paragraph 89 of the National Planning Policy Framework for allowing development within the Green Belt, and is therefore unacceptable.

Site Location:

The application site comprises an area of grassland and a pond to the south east of Wren House, the applicant's property. The site is surrounded by a gravelled access drive leading to the former John Crosse Home, now comprising three listed properties Wren House, The Clock House, and Stewart House. The site also abuts a track leading to Little Park Farm.

The land is currently occupied by three wooden sheds ranging from approximately 2.2m to 2.7m in height with a total footprint of approximately 30sqm.

The site is located outside of the Settlement Envelope of Ampthill, in an area washed over by the South Bedfordshire Green Belt.

The Application:

The proposal is to replace the existing sheds with a larger building in a similar position. The building described as a "barn" would be used as a B1 office.

It would be 3.5m high and have a footprint of approximately 67sqm. The building at maximum dimensions would be some 14.3 metres in width, by 7.2 metres.

RELEVANT POLICIES:

National Planning Policy Framework (2012)

Chapter 9: Protecting the Green Belt

Chapter 12: Heritage

Core Strategy and Development Management Policies (2009)

Policy CS14	High Quality Development
Policy CS15	Heritage
Policy DM3	High Quality Development
Policy DM4	Development Within and Beyond Settlement Envelopes

Development Strategy

At the meeting of Full Council on 19 November 2015 it was resolved to withdraw the Development Strategy. Preparation of the Central Bedfordshire Local Plan has begun. A substantial volume of evidence gathered over a number of years will help support this document. These technical papers are consistent with the spirit of the NPPF and therefore will remain on our website as material considerations which may inform further development management decisions.

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

Relevant Planning History:

Application:	Planning	Number:	CB/16/04397/VOC
Validated:	22/09/2016	Type:	Variation of Condition
Status:	Decided	Date:	03/11/2016
Summary:		Decision:	Variation of Condition - Granted

Description: Variation of Condition 4 of planning permission CB/15/1557/FULL One and a half storey detached garage.
To allow for the minor material changes to the proposal to reduce the height and make the bays open rather than with fitted doors.

Application:	Planning	Number:	CB/15/03697/FULL
Validated:	29/09/2015	Type:	Full Application
Status:	Decided	Date:	04/12/2015
Summary:		Decision:	Full Application - Granted
Description:	Erection of barn		

Application:	Planning	Number:	CB/15/01557/FULL
Validated:	24/04/2015	Type:	Full Application
Status:	Decided	Date:	08/06/2015
Summary:		Decision:	Full Application - Granted
Description:	One and a half storey detached garage.		

Consultees:

Amphill Town Council Support the application.

Conservation Officer The proposed barn for Office Use B1 is located in an open field in front of Wren House, which is listed under the Oxford Hospital list entry (grade II, listed in 1951), the former bakehouse fronting the old Almshouses (now private dwellings) is listed grade II and Little Park Farmhouse (together with the range of converted barns) is also listed Grade II. The proposed development does sit at some distance from the listed buildings and is not considered to be within the curtilage of the listings.

In 2015, planning permission was granted for a barn to be erected in a similar position to where this barn is proposed (reference CB/15/03697/FULL. The granted barn was of a simple design and in the conservation comments (from PC) it was specified that it would be required to be weatherboarded in black, minimum windows and doors (in timber and with frames painted black).

The DAS supplied in his application specifies that *'the grant of the previous barn demonstrated that the location can accept a building without harming the setting of the other listed buildings'*. I cannot agree with this statement as the principle of the granted barn read fully as a barn and storage. I find that the proposed building would not read in the same way as the granted scheme, and whilst the proposal specifies the building to be a 'barn', due to the detailing and the fenestration, I cannot agree that on principle the two schemes are the same. The proposed building would appear to be of a residential nature due to the increase of fenestration from the previous application to the current.

In accordance with the NPPF we must ensure that development within and around heritage assets makes a positive contribution to the significance of the heritage asset and we must weigh the impact of the proposal on the heritage asset. In this instance, and due to the proposed being in principle different to the already granted barn, the proposed building for office use would cause harm to the setting of the listed building. It is my view that the proposed development would result in harm to the significance of a number of designated heritage assets, albeit, this harm has been considered to be 'less than substantial' and therefore, in accordance with paragraphs 132, 134 and 137 of the NPPF (2012), we must only approve the scheme in its current form if we are fully satisfied that there is justification for the harm; and that the harm is outweighed the by public benefits of the proposal; and that no alternative, less harmful, scheme can be delivered.

CONCLUSION

For the reasons stated above, the current proposal would have an impact on the setting of various heritage assets and would cause harm to their significance. I therefore raise an **OBJECTION** on the basis that the proposal would cause harm to the significance of the heritage assets. The provisions of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as supported by the aims of Section 12 of the NPPF should be used to assess if the less than substantial harm can be outweighed by public benefit and no alternative scheme can be delivered.

Drainage Board	No objection subject to appropriate storm water design.
Ecology	No objection but would like to see provision of one bird and one bat box.
Highways	No objection

Other Representations:

Neighbours	2 letters of objection received.
	Clock House and Stewart House Little Park Farm.
	Impact upon the Green Belt. Not acceptable in accordance with NPPF.

Determining Issues:

1. Principal of development within the Green Belt
2. Impact to the character and appearance of the area and Listed Buildings
3. Neighbouring amenity
4. Other considerations

Considerations

1. Impact to the Green Belt and principle of development

- 1.1 The site is located to the west of Ampthill, in an area washed over by the Green Belt. As the site is located within the Green Belt, the application must be consider this in the context of the National Planning Policy Framework.
- 1.2 Paragraph 89 of the National Planning Policy Framework identifies that the construction of new buildings should be regarded as inappropriate development, although certain exceptions may be permitted. Such exceptions are
 - 1.3 – *buildings for agriculture and forestry.*
 - *provision of appropriate facilities for outdoor sport, outdoor recreation*
 - *replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.*
 - *limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.*
- 1.4 The application was accompanied by a supporting statement which has asserted that the development would fall within the 4th point that this office building would be a complete redevelopment of brownfield land. The current building on the site is a small stable and shed incidental to the use of the field for the keeping of a horse, and the grazing of the field.
- 1.5 There is no specific definition of brownfield land within the NPPF but it is generally accepted that brownfield land does not include agricultural buildings. The NPPF also does not specifically define the term agriculture, however the Town and Country Planning Act 1990 defines agriculture as including:
 - 1.6 *"horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes, and "agricultural" shall be construed accordingly".*
- 1.7 It is considered that the existing stable and shed would be considered within this use as the stable would provide shelter for a horse incidental to the use of the field as grazing land. It is therefore considered that the existing site is not brownfield land and therefore the development of the site as brownfield land

would not be considered an acceptable justification for the redevelopment of this site. It is considered that the demolition of a modest stable building and shed incidental to the use of the field for grazing and the replacement building for a commercial office building would be harmful to the openness of the Green Belt and therefore would be found unacceptable.

1.8

There are no very special circumstances presented with the application that would allow a commercial office building to be constructed within the Green Belt in this location set out and therefore it is considered that the development would be considered inappropriate development.

2. Impact on the character and appearance of the area and setting of Listed Buildings

2.1 Whilst the building would be larger than the existing sheds it would not be visible from any public viewpoints, other than from the surrounding residential properties.

2.2 It is considered that in general a modern looking commercial building would be out of character with the open countryside, although it is accepted that it would not hold a prominent position within the public realm. The Council's Conservation Officer has concluded that the building would be some degree of harm to the setting of the adjacent Listed Buildings, when less than substantial harm is considered the public benefit of the building should outweigh the harm that the development would cause to the setting of the Listed Buildings. It is considered that there is no public benefit to this development and therefore it would be unacceptable in conservation terms.

2.3 As such it is considered that this development would not comply with Policies DM3, DM4 and CS15 of the Central Bedfordshire (North) Core Strategy, or Section 12 of the NPPF.

3. Neighbouring amenity

3.1 The proposed building would be located approximately 45m away from the closest neighbouring property, the applicants own property. Whilst visible from the front of that property and the neighbouring dwelling it is not considered that it would result in an unacceptable impact in terms of loss privacy, light, outlook or amenity.

3.2 Two letters of objection have been received from residents of Little Park Farm:

Stewart House -

- An office building in the Green Belt would be considered inappropriate development.
- Not considered brownfield land.
- Impact upon the Listed Building.

The Clock House -

- Inappropriate development within the Green Belt.
- Does not accept that the existing buildings on site are permanent structures

suitable to be considered "Brownfield Land".

It is considered that these points have been considered within the main body of this report.

4. Other Considerations

4.1 Ecology

The Ecologist raises no objection to the replacement of the existing buildings subject to a bat and bird box.

4.2 Human Rights issues:

The proposal would not raise any Human Rights issues.

4.3 Equality Act 2010:

The proposal would not raise any issues under the Equality Act.

Recommendation:

That Planning Permission be refused for the following reasons:

- 1 The proposed office building would be prominently sited where it would be visible across open land and have a significant effect on the openness of the Green Belt. It would appear as being materially harmful to the character and appearance of the wider area and would conflict with the provisions for the retention of the Green Belt as set out in the NPPF. The office building would not represent the replacement of buildings on brownfield land and would therefore constitute inappropriate development and would be unacceptable in accordance with paragraph 89 of the National Planning Policy Framework.
- 2 The proposed development due to the design and location would result in harm to the significance of heritage assets, in particular the adjacent Listed Building, contrary to paragraphs 132, 134 and 137 of the NPPF (2012). No justification for public benefit has been provided to outweigh the harm to the heritage assets and therefore the proposal is contrary to Section 12 of the National Planning Policy Framework.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35

The Council acted pro-actively through positive engagement with the applicant in an attempt to narrow down the reasons for refusal but fundamental objections could not be overcome. The applicant was invited to withdraw the application to seek pre-application advice prior to any re-submission but did not agree to this. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

DECISION

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