

## **Item No. 13**

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

### **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 applicants 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 (one originally a stable) ranging from approximately 2.2m to 2.7m in height with a total footprint of approximately 30sqm. The applicant states these are used for ancillary storage.

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.

Revised plans were received during the application altering the design of the building, a revised consultation period was undertaken. The revised plans are the subject of consideration within this report.

## **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:**

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

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

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

#### **Consultees:**

Amphill Town Council	Support the application.
Conservation Officer	Full comments from the Conservation Officer on the revised design will appear on the late sheet.
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.
- Does not consider the buildings of permanent construction

In addition to the objections to the original consultation, the owner of Stewart House made contact stating that the revised plans did not overcome their concerns regarding this development, and they wished to maintain the objection.

## 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 considered in the context of the Green Belt Policy stipulated within 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 exemption ie; 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.
- 1.9 In addition to the building in order to access the office and facilitate its use, a parking area would likely need to be created, this would be a highway requirement for an office building. It is considered that this significantly intensifies the use of the land, extending the area of development significantly beyond the footprint of the existing buildings on the site. It is judged that to facilitate the use of this office, the development would need to extend into areas previously undeveloped, it is considered that this would be harmful to the openness of the Green Belt. The agent has confirmed that no hard access path would be required for the office, this would mean workers and visitors to the proposed office would be walking across the field to access the building.

## **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. We are of the opinion that the design of the submitted building would not significantly impact upon the setting of the adjacent Listed Building.
- 2.3 As such it is considered that this development would 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 reason:

## RECOMMENDED CONDITIONS / 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 and ancillary works including parking area would not represent the replacement of buildings (development) on brownfield land and would therefore constitute

inappropriate development and would be unacceptable in accordance with paragraph 89 of the National Planning Policy Framework.

## **INFORMATIVE NOTES TO APPLICANT**

### **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.