

ITEM 6(a)

Application Number: 19/03142/FUL

Description Retrospective planning permission the rebuild of a previously demolished barn, its extension and conversion into a two bedroom residential dwelling.

At Mounts House, West Lane, Emberton, Olney MK46 5DA

For Mr & Dr David JC and Diane Soul

Statutory Target: 20th January 2020

Extension of Time: Yes – 30th April 2020

Ward: Olney

Parish: Emberton Parish Council

Report Author/Case Officer: Lakeisha Peacock
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Development Management Manager
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1.0 RECOMMENDATION

1.1 It is recommended that permission is granted subject to conditions set out in this report.

2.0 INTRODUCTION

The Site

2.1 The application site concerns a single storey stone barn located to the east of West Farm Way in Emberton. The barn is located to the south west of Mounts House, which falls within the ownership of the applicant. To the north of the site is an area of private amenity space associated with the stone barn and Mounts House, with Open Countryside, as designated within Plan:MK, located beyond. To the immediate west of the site is West Farm House, a residential dwelling, with No. 4 West Farm Way located to the south east. Both of these dwellings share a boundary with the application site. An area of shared parking associated with Mounts House as existing is located to the south of the site.

2.2 The application site is located within Emberton Conservation Area.

The Proposal

- 2.3 The application seeks retrospective planning permission for the rebuild and conversion of the existing stone barn to a two bedroom residential dwelling with a two storey extension to the rear (north elevation).
- 2.4 The application has been submitted as the result of a recommendation from planning enforcement. A previous planning permission was granted for the conversion and extension to the existing stone barn to a two bedroom dwelling under reference 18/00643/FUL. Details of the background of the application are covered within Section 2.6 of this report.

Reason for referral to committee

- 2.5 The application was deferred from Development Control Panel on the 27th February 2020 to provide members with additional information in respect of the process to date. The application was originally heard at Development Control Panel at the request of Councillor Hosking due to level of public interest and controversial nature of the scheme.
- 2.6 In respect of the background to the application, this is covered in detail in Sections 2.11 to 2.16 of this report. To summarise, permission was granted for the original scheme on the 21st November 2018. During construction works associated with the implementation of the scheme, the original stone barn became structurally unsound and a decision was taken by the builders on site to take down the barn brick by brick in order to retain original materials. Part way through this process, the applicant was ordered to stop demolition by the enforcement team and this was complied with. They were advised that a like-for-like rebuild would be appropriate. The applicant was then advised on the 15th November 2019 to submit a planning application to regularise the works, which was submitted and validated on the 24th November 2019. This is the application before members.
- 2.7 Upon submission of the application, the description of the application was considered by the case officer and this matter was also identified as a point of concern in an email from Emberton Parish Council. From discussions with other officers, the description was amended to the current wording, removing the element of retrospective permission to demolish, as this is an aspect of the development that would not be granted retrospectively.
- 2.8 The Local Planning Authority has the authority to change descriptions of applications to accurately reflect the extent of the proposal and it is the current description that would appear on the decision notice associated with the application.
- 2.9 In respect of the proposed development, to rebuild the barn in a like for like manner, this was submitted under the advice from the enforcement team, and would be the best case scenario in this instance to mitigate the harm caused by the demolition.

- 2.10 For the avoidance of doubt, given the previous permission for the site, the scope of the debate for this application is the retrospective rebuild of the barn in a like-for-like manner, and the reduction in the footprint of the barn in respect of the alterations to the southern elevation of the previously approved two storey extension.

Scope of debate/decision

- 2.11 The application is for full planning permission for the rebuild in a like-for-like manner of the stone barn, two storey rear extension and conversion to a two bedroom residential dwelling. Planning permission was granted under application 18/00643/FUL for the conversion and extension of the stone barn to form a two bedroom residential dwelling. The only amendment to the built elements of the scheme (aside from the demolition of the barn) is the separation distance between the proposed two storey extension and neighbouring barns located to the south of the southern elevation of this element. This has been increased from 1.1 metres to 1.75 metres for structural purposes. This element results in a reduction in the overall footprint of the two storey extension.
- 2.12 The application has been submitted as a result on an enforcement case. A cover letter submitted as part of the application sets out the reason this application has been submitted, the timeline in respect of the granting of the original permission, implementation, and aspects leading to the resulting demolition of the original stone barn. These are covered within the sections below.
- 2.13 Planning permission was granted under application 18/00643/FUL on the 21st November 2018. Works commenced on the implementation of the approved development, including works to the original stone barn that required the removal and reinstatement of the original roof. The walls of the barn were stabilised as part of these works.
- 2.14 During the construction process it was identified that the southern wall was structurally unstable and at risk of collapse. As stated within the cover letter submitted as part of this application, it was considered by the builders on site that there was a high risk of this wall collapsing, resulting in potential damage to neighbouring dwellings and health and safety concerns for those working on site.
- 2.15 A decision was taken for the barn to be deconstructed brick by brick, in a manner that would retain the original materials, for the above reasons. Before the barn was fully demolished, the actions were reported to the enforcement team and they were ordered to stop works. Advice was provided by planning enforcement to rebuild the barn in a like-for-like manner which has now been completed. The applicant was provided with advice dated the 15th November 2019 to submit an application in respect of the works and the current application was submitted on the 24th November 2019.
- 2.16 Given the previous permission for the site, the scope of the debate for this application is the retrospective rebuild of the barn in a like-for-like manner, and the reduction in the footprint of the barn in respect of the alterations to the southern elevation of the previously approved two storey extension.

3.0 RELEVANT POLICIES

National Policy

3.1 National Planning Policy Framework (February 2019) (NPPF)

Section 2 Achieving Sustainable Development

Section 4 Decision-Making

Section 5 Delivering a Sufficient Supply of Housing

Section 12 Achieving Well-Designed Places

Section 15 Conserving and Enhancing the Natural Environment

Section 16 Conserving and Enhancing the Historic Environment

In addition, the Planning Practice Guidance is also a material consideration

Planning (Listed Buildings and Conservation Areas) Acts 1990

Section 72 General duty as respect Conservation Areas in the exercise of planning functions

The Development Plan

3.2 Neighbourhood Plan

The application site is located within the Emberton Neighbourhood Area. There is no neighbourhood plan to date.

3.3 Plan: MK (March 2019)

Plan:MK was adopted at Council on 20 March 2019 and now forms part of the statutory development plan for Milton Keynes, and includes the Policies Map that indicates land use in the Borough.

Policy DS2 Housing Strategy

Policy HN4 Amenity, Accessibility and Adaptability of Homes

Policy CT2 Movement and Access

Policy CT6 Electric Vehicles

Policy CT10 Parking Provision

Policy FR1 Managing Flood Risk

Policy NE3 Biodiversity and Geological Enhancement

Policy HE1 Heritage and Development

Policy D1 Designing a High Quality Place

Policy D2 Creating a Positive Character

Policy D3 Design of Buildings

Policy D5 Amenity and Street Scene

3.4 Supplementary Planning Documents/Guidance

Parking Standards SPD (January 2016)

New Residential Development Design Guide (April 2012)
Milton Keynes Drainage Strategy - Development and Flood Risk
SPG (May 2004)

3.5 Human Rights Act 1998

There may be implications under Article 8 and Article 1 of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions. However, these potential issues are in this case amply covered by consideration of the environmental impact of the application under the policies of the development plan and other relevant policy guidance.

3.6 Equality Act 2010

Due regard, where relevant, has been had to the Milton Keynes Council's equality duty as contained within the Equality Act 2010.

4.0 **RELEVANT PLANNING HISTORY**

4.1 Application Site

18/00643/FUL

Conversion and extension of an existing stone barn to a two-bedroom residential property.

Permitted 21.11.2018

18/03069/DISCON

Details submitted pursuant to the discharge of condition 8 (biodiversity enhancement scheme) attached to planning permission 18/00643/FUL

Discharged 15.02.2019

19/01610/DISCON

Details submitted pursuant to discharge of condition 4 (Landscaping) and condition 6 (Cycle Parking) attached to planning permission 18/00643/FUL

Discharged 22.07.2019

5.0 **CONSULTATIONS AND REPRESENTATIONS**

5.1 Emberton Parish Council

"The parish council has no comment to make in relation to this application".

5.2 Cllr Peter Geary- Olney Ward

No comments received.

5.3 Cllr Keith McLean- Olney Ward (member of DCC)

No comments received.

5.4 Cllr David Hosking- Olney Ward

“I would like to request that, in the event you are minded to grant planning permission, this application be determined by committee.

This is a controversial application with significant public interest. As such, I would expect you to refer it to committee.”

5.5 MKC Highways

“This application is for the conversion of a barn to a small single dwelling. The proposal incorporates 2 car parking spaces within a courtyard apparently shared with West Farm House. The courtyard allows for turning and manoeuvring and is served by an existing access from West Farm Way.

There do not appear to be any matters that impact on the adjoining highways and the parking provision appears adequate. As a result, there is no objection to planning permission being issued and no conditions are required.”

5.6 MKC Ecology

No representations were received at the time of writing this report.

5.7 MKC Conservation

“Principle of development

The previous application established the principle of conversion and extension, an intensification that brings about significant variations in the built character of the barn and, on its northern side, a complete change in its appearance. Whilst acknowledging the ‘special attention’ accorded to protecting conservation areas I have nevertheless concluded that, in light of the harm already permitted, the additional harm is marginal and provides little basis for a conservation based objection in principle at this stage.

Detail of development

Removing the roof as part of the implementation of the previous consent is likely to have freed the friable traditional lime bedding mortar used in the wall of any strength gained from compression causing it to become unstable to the point where it needed to be dismantled and rebuilt. No structural engineer’s report is supplied regarding the roof or the mortar and the eventual need to dismantle the wall but we do have a reassurance that materials were salvaged and reused to create a replica that, outwardly at least, successfully mimics the lost building.

Subject to a visit to inspect the rebuilt barn, rather than the implementation of conditions of permission as should have been the case, I raise no objections on grounds of detail. Once a visit has been made I will email you any further points of discussion / confirmation of no conservation objections.”

5.8 Neighbour/ Third Party Representations

Comments have been received from one neighbour. The material planning considerations are summarised below:

- Impact on Heritage Assets

6.0 **MAIN ISSUES**

Principle of development
Highway matters and parking
Impact on character of the area
Impact on Heritage Assets
Residential amenity
Landscape
Ecology

7.0 **CONSIDERATIONS**

Principle of development

7.1 The application site is located within an existing residential area within the settlement boundary of Emberton. The principle of the conversion of the barn and its extension to a two bedroom dwelling is considered to be established following the granting of planning permission under reference 18/00643/FUL.

7.2 Notwithstanding the above, Part 13 of Policy DS2(A) of Plan:MK supports the permitting of development proposals for housing within the defined settlement boundaries where they comply with all other relevant policies of Plan:MK and neighbourhood plans. The principle of the development is therefore considered to be acceptable subject to other material considerations as set out in this report.

Highway matters and parking

7.3 When considering the proposals in accordance with CT10 of Plan:MK, there is a requirement for developments to meet the adopted car parking standards as presented within the Milton Keynes Parking Standards SPD unless mitigating circumstances dictate otherwise. Policy CT6 also requires that development proposals for new residential developments provide electric vehicle charging points at a rate of 1 charging point per dwelling.

7.4 The application site contains an area of parking associated with the stone barn, and Mounts House, which is also under the ownership of the applicant. The parking area indicates two parking spaces in accordance with the Milton Keynes Parking Standards, with sufficient remaining space for parking for Mounts House and

turning and manoeuvring space. This arrangement was approved under application 18/00643/FUL. In respect of the required electric vehicle charging points, it is considered that details of these can be secured by condition.

- 7.5 As such, the proposal is considered to be in accordance with the development plan.

Impact on character of the area

- 7.6 Policy D3 of Plan:MK seeks to ensure that proposed buildings are of an appropriate scale in relation to other buildings in the immediate vicinity in terms of their height and massing. The policy also seeks to ensure that buildings contribute to creating a positive character. This is also reflected in Policies D1 and D2 of Plan:MK and Section 12 of the National Planning Policy Framework.
- 7.7 The rebuild of the previously demolished barn makes use of recovered materials including; stonework, roof tiles, a-frames, rafters, windows, lintels and the barn doors and is constructed similar to that of the original stone barn. The rebuild of the barn in a like-for-like manner is considered not to result in harm to the character of the area of street scene of West Farm Way, with the use of the original materials resulting in a high quality rebuild. In addition, the proposal makes use of the previously recovered features including windows and the barn door that forms the principle elevation of the barn.
- 7.8 The conversion and extension of the barn, as covered in Section 2.6, was granted permission under application 18/00643/FUL. The proposed alterations under this application include a marginal reduction in the footprint of the extension for structural purposes. This reduction affects the rear (north) elevation of the extension, and as such is not highly visible from the street scene of West Farm Way. In addition, this amendment is considered not to result in harm to the character of the area.
- 7.9 For the avoidance of doubt, the proposed conversion and extension under application 18/00643/FUL was found to be acceptable, with the proposed conversion resulting in no external alterations to the barn, and the proposed extension being suitable within the local context. There are no alterations to the proposal under this application that significantly alter this previous assessment.
- 7.10 The proposed development is therefore considered to be of a scale and massing that reflects the wider character of the area, and creates visual interest through the careful use of materials, detailing and design finishes that is considered to comply with policies D1, D2 and D3 of Plan:MK and Section 12 of the National Planning Policy Framework.

Impact on Heritage Assets

- 7.11 The application site falls within Emberton Conservation Area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on local authorities to pay special regard to the desirability of preserving and enhancing designated heritage assets. This is further reflected in Policy HE1 of Plan:MK and Section 16 of the National Planning Policy Framework.

- 7.12 In respect of the proposed conversion and extension of the stone barn, the principle of this is considered to be established under application 18/00643/FUL. The proposed conversion consisted of no external alterations, with the extension and overall proposal considered to be of a scale reflective of other buildings within the local area and materials to match the existing barn that would be in keeping with that of the Conservation Area. It was therefore considered under application 18/00643/FUL that the proposal would not result in harm to the character of the Conservation Area.
- 7.13 In respect of the rebuild of the previously demolished barn, this is fully complete and therefore considered retrospective. The proposed rebuild makes use of the original materials used within the construction of the barn, with the construction methods also replicated as best as possible. As a result, the rebuild has the appearance of the original barn, reflecting the scale and finishes of the building. It is recognised in the response by the Conservation Officer that, having been demolished almost in its entirety and rebuilt, many of the old hallmarks of an informally built local farm building will have been lost in its reconstruction. However, the Conservation Officer recognises the principal of development has already been accepted for conversion and extension of the building and raises no objection in respect of the rebuild in a like-for-like manner. This is considered to be the optimum outcome in respect of the character of the Conservation Area. It is therefore considered that the proposed rebuild, resulting in a like-for-like stone barn of the original materials, would not result in harm to the character of the Conservation Area, and would retain its character as existing.
- 7.14 The proposed amendment results in a reduction of the visible footprint of the dwelling overall. As such, and in combination with the use of matching building materials and features, it is considered not to result in harm to the character of the Conservation Area.
- 7.15 It is therefore considered that the proposed development would not result in harm to Emberton Conservation Area. The proposed development is considered to be acceptable and would accord with the relevant national policy and policies forming part of the development plan in relation to heritage assets. The local authority is therefore considered to discharge its statutory duty in this regard.

Residential amenity

- 7.16 Policy D5 of Plan:MK seeks to ensure that development proposals do not result in an adverse impact on the amenity of surrounding residential dwellings. In addition, Policy HN4 of Plan:MK requires that development proposal meet the Nationally Designated Space Standards, with the requirements for private amenity space and separation distances outlined within the New Residential Development Design Guide.
- 7.17 In regard to the proposed development, the acceptability of the proposal is considered to be established under application 18/00643/FUL. The only alteration under consideration of this application is the rebuild of the original stone barn and reduction in the footprint of the proposed two storey extension. The proposed

conversion of the barn does not result in any increase in scale and massing, and such is considered not to result in an unacceptable impact on the amenity of neighbouring dwellings.

- 7.18 The proposed two storey rear extension would be located approximately 8.5 metres from the side elevation of West Farm House. This is a similar arrangement to the previously approved proposal (ref: 18/00643/FUL). There are no first floor windows proposed to the extension, with the only openings consisting of roof lights to the rear elevation roofslopes. These roof lights are of a position that would not result in an adverse loss of privacy to neighbouring dwellings. The siting and scale of this element of the proposal is also considered to ensure that the development would not result in an adverse impact on neighbouring dwellings in respect of a loss of sunlight and daylight, or an unacceptable visual intrusion.
- 7.19 In addition, the proposal meets the Nationally Designated Space Standards required by Policy HN4. The New Residential Development Design Guide outlines a requirement for private amenity space for family dwelling to be of 10 metres in depth, with 7-8 metres in depth considered acceptable for wider frontage plots. The proposed amenity space for the dwelling measures between 3.5 and 10 metres in depth and 17 metres wide. Although the shape of the garden is unusual, it is considered that proposal amenity space would be acceptable in accordance with the New Residential Design Guide. Sufficient amenity space is also retained for Mounts House, of which the stone barn is associated with.
- 7.20 The proposed development is therefore considered to comply with Policies HN4 and D5 of Plan:MK and the New Residential Development Design Guide.

Landscape and Ecology

- 7.21 Policy D1 of Plan:MK seeks to ensure soft and hard landscaping associated with proposed developments, and proposed boundary treatments are in keeping with the character of the local area. In addition, Policy NE2 seeks the protection of Protected Species.
- 7.22 The proposed development (rebuild and reduction of footprint) is considered not to have any additional impact on protected species above the previously approved development. It is considered that with the submitted mitigation measures, which are to be secured by condition, ensure that the proposal would not result in harm to protected species and would therefore be compliant with Policy NE2 of Plan:MK.
- 7.23 In addition, the submitted soft landscaping plan is considered to be appropriate within the context of the application site and street scene. The proposal therefore accords with Policy D1 of Plan:MK.

Drainage and flood risk

- 7.24 Paragraph 103 of the National Planning Policy Framework 2019 sets out the responsibility of planning authorities in relation to flood risk, which is to ensure that it is not increased elsewhere as a result of the development. Policies FR1 and FR2 of Plan:MK also support the provision of sustainable urban drainage systems.

7.25 The application site is located within Flood Zone 1, with the risk of surface water flooding being identified as 'very low' or 'low'. The submitted Flood Risk Assessment was found acceptable under application 18/00643/FUL. There are no changes under the current application that would result in a change in the assessment of the application in respect of this.

8.0 CONCLUSIONS

8.1 The proposal is found to be in accordance with relevant development plan policies and it is therefore recommended that planning permission is granted subject to conditions.

9.0 CONDITIONS

1. The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: To prevent the accumulation of planning permissions; to enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances; and to comply with section 91 of the Town and Country Planning Act 1990.

2. The external surfaces of the development hereby permitted shall be constructed only of materials of a type and colour which match those of the existing building except where indicated otherwise on the approved drawings.

Reason: To ensure that the new work complements the existing building and to ensure the development does not detract from the character and appearance of the area in accordance with Policies D2 and D3 of Plan:MK (2019).

3. No building or use hereby permitted shall be occupied or the use commenced until the car/vehicle parking area shown on the approved plans has been constructed, surfaced and permanently marked out. The car parking area so provided shall be maintained as a permanent ancillary to the development and shall be used for no other purpose thereafter.

Reason: To ensure adequate parking provision at all times so that the development does not prejudice the free flow of traffic or the safety on the neighbouring highway in accordance with Policies SD1, D1 and CT10 of Plan:MK (2019).

4. No building or use hereby permitted shall be occupied or the use commenced until the cycle parking provision shown on the approved plans has been completed. Thereafter, the cycle parking provision shall be kept free of obstruction and shall be available for the parking of cycles only.

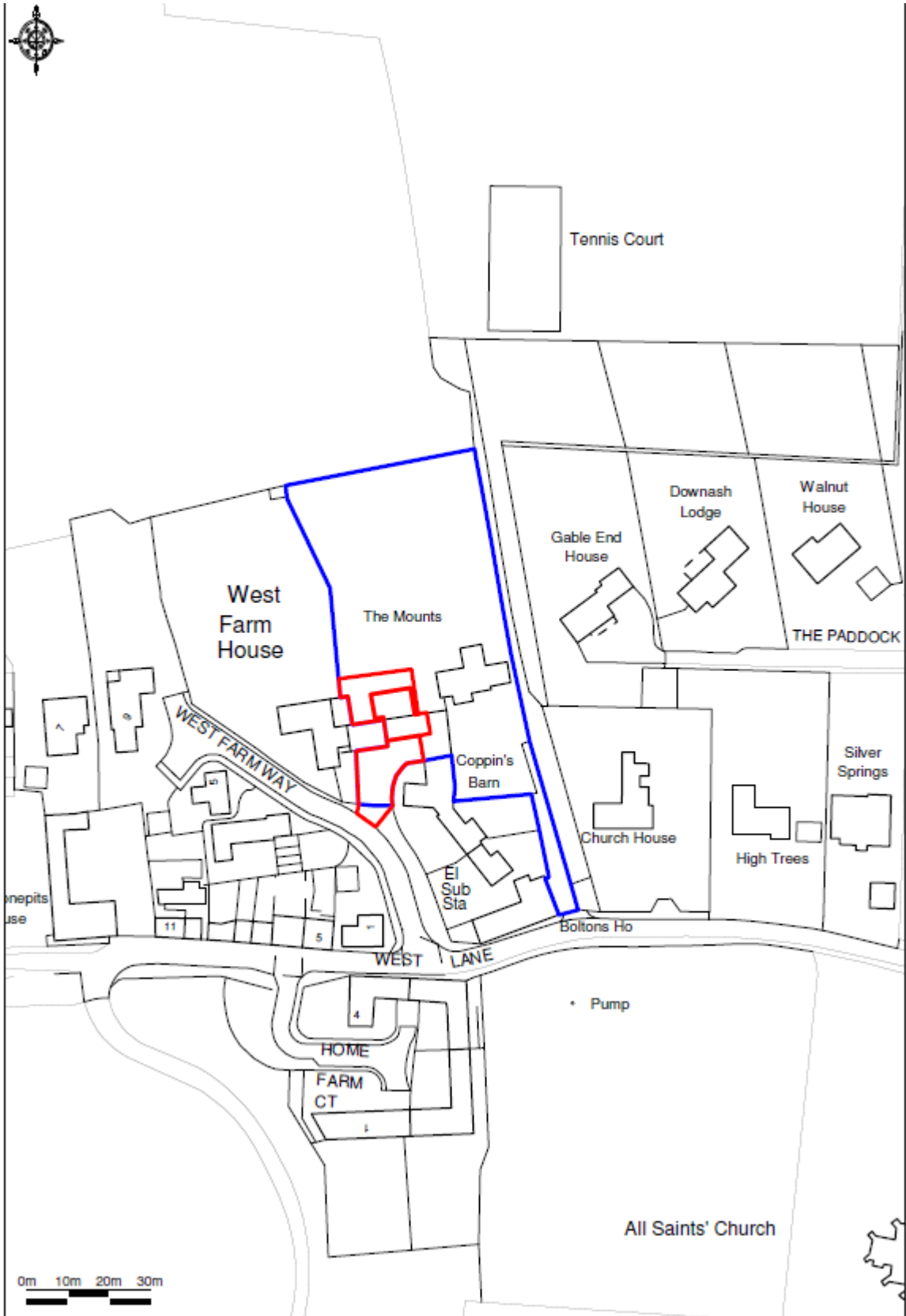
Reason: To ensure the provision and availability of adequate cycle parking in accordance with Policy CT3 of Plan:MK (2019).

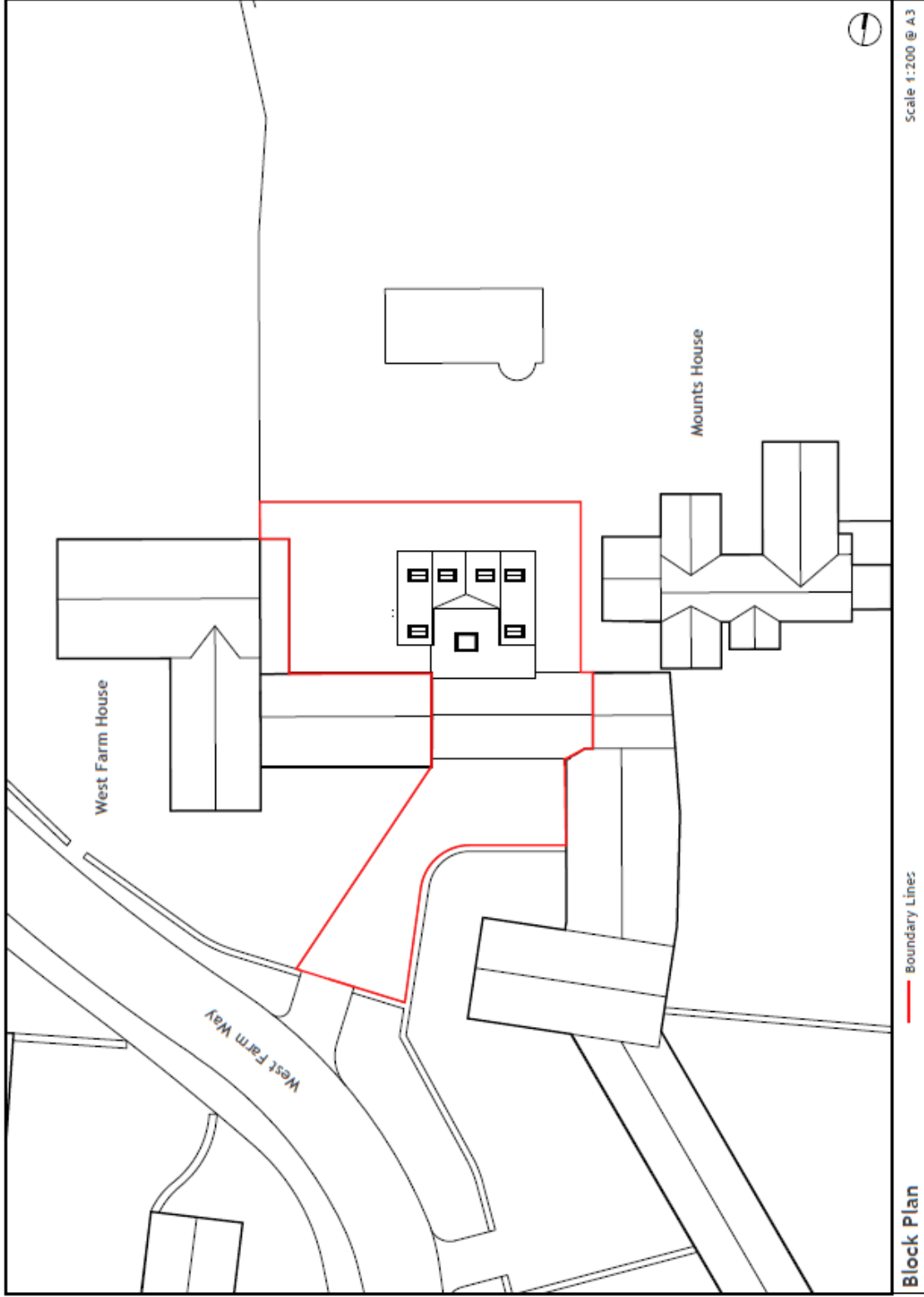
5. Notwithstanding the details on the submitted plans, rooflights shall be of a conservation type, have a vertical glazing bar, have a maximum distance between the top and sides of the window and adjacent roof covering of 50mm, have lead flashings and soakers and have no parts that project above the plane of the roof.

Reason: To preserve the character and appearance of the Conservation Area, in accordance with Policy HE1 of Plan:MK.

6. Prior to the commencement of development above slab level, details of a scheme for the provision of an Electric Vehicle charging point for the proposed dwelling shall be submitted to, and approved in writing by the Local Planning Authority.

Reason: To accord with Policy CT6 of Plan:MK (2019).

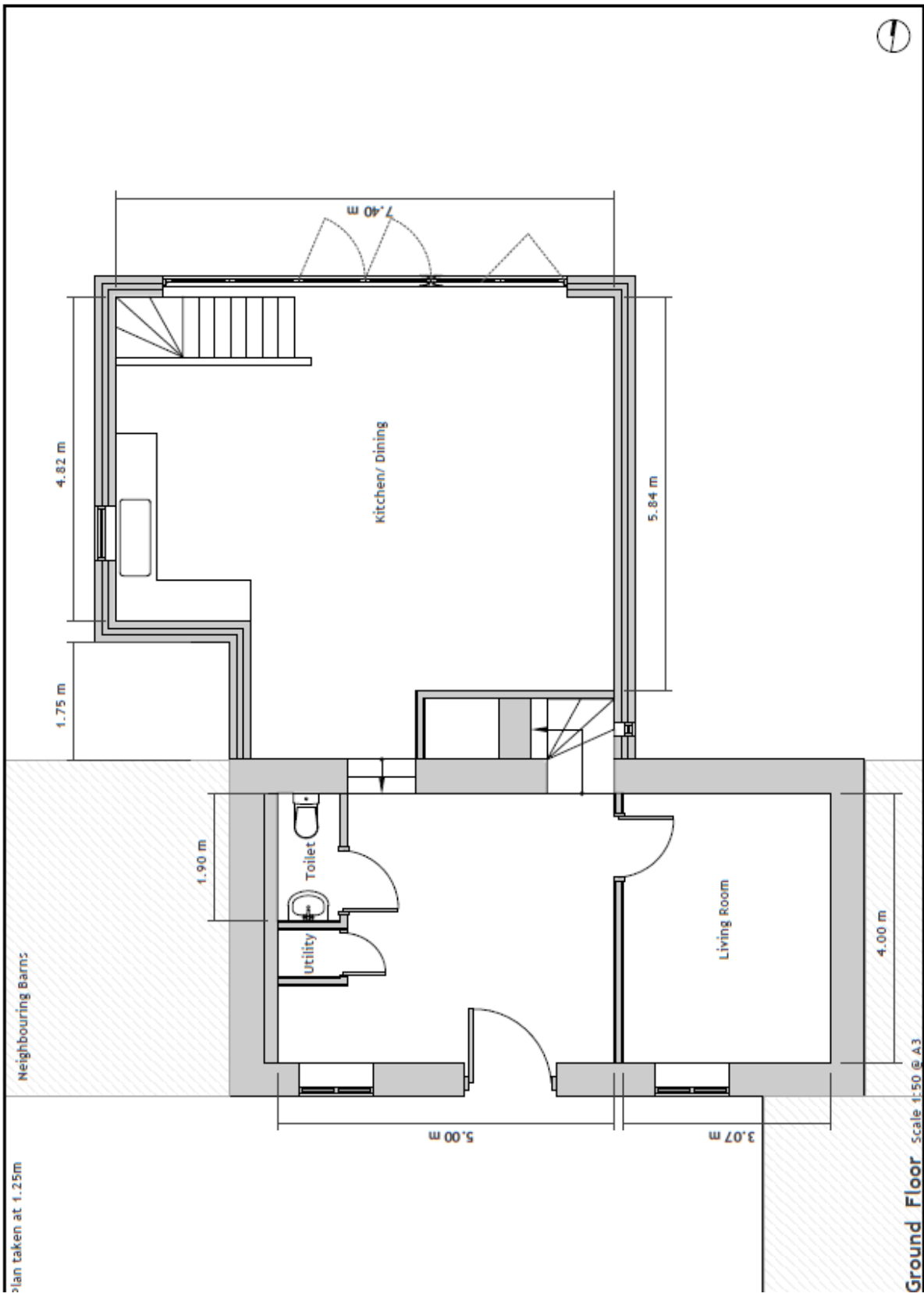




Block Plan

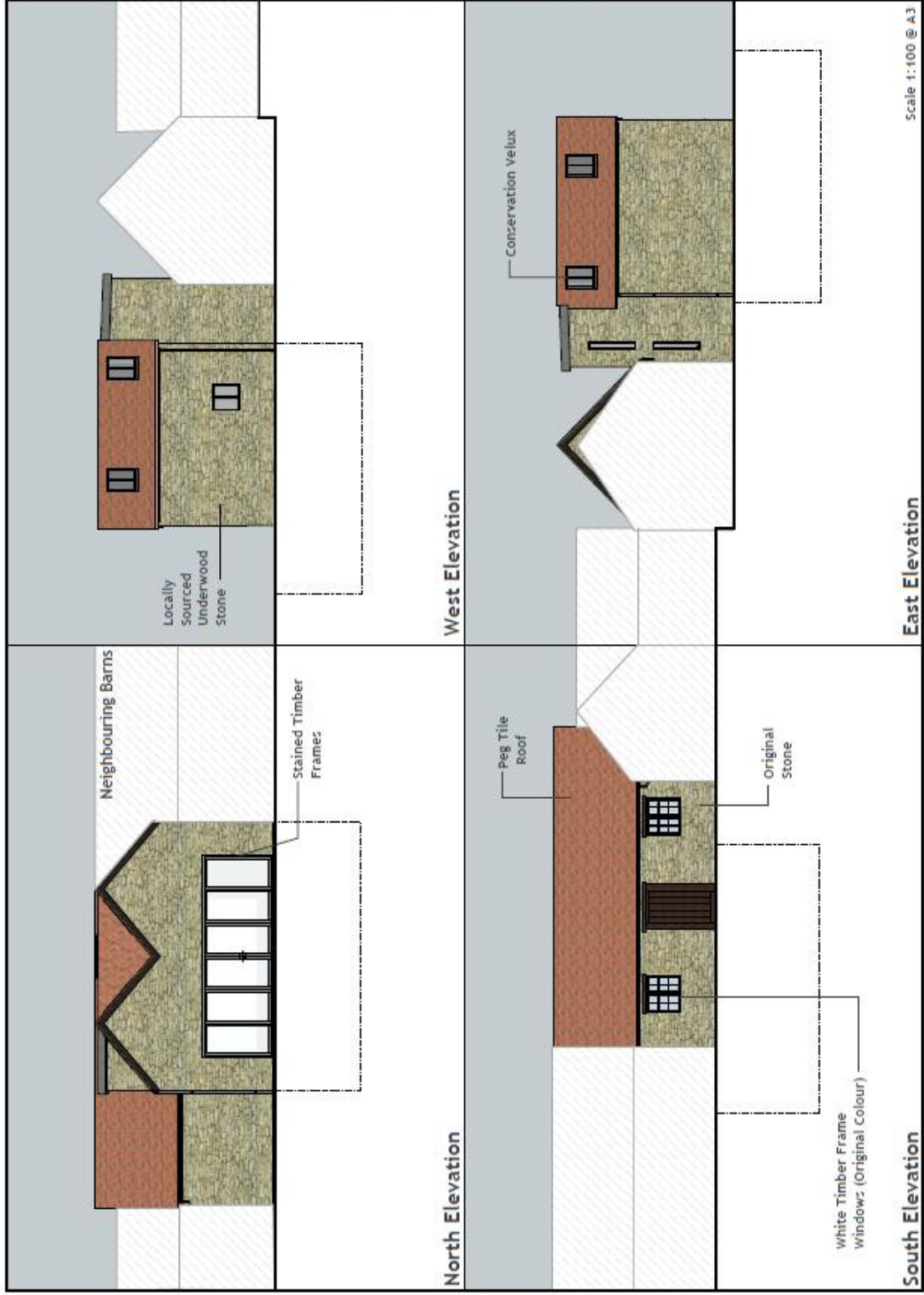
— Boundary Lines

Scale 1:200 @ A3



Plan taken at 1.25m

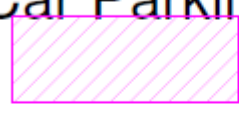
Ground Floor Scale 1:50 @ A3



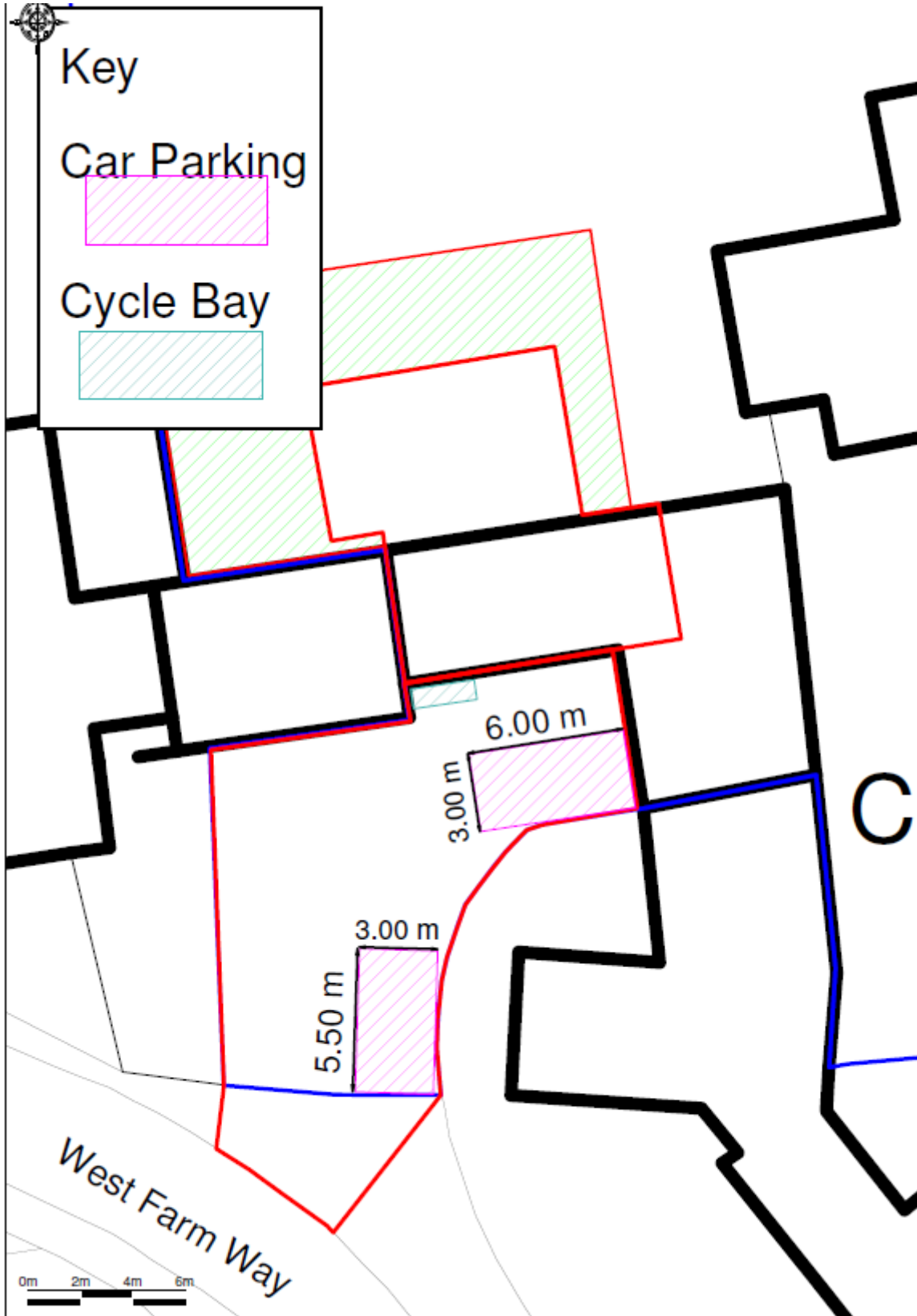
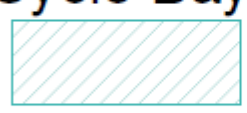


Key

Car Parking



Cycle Bay





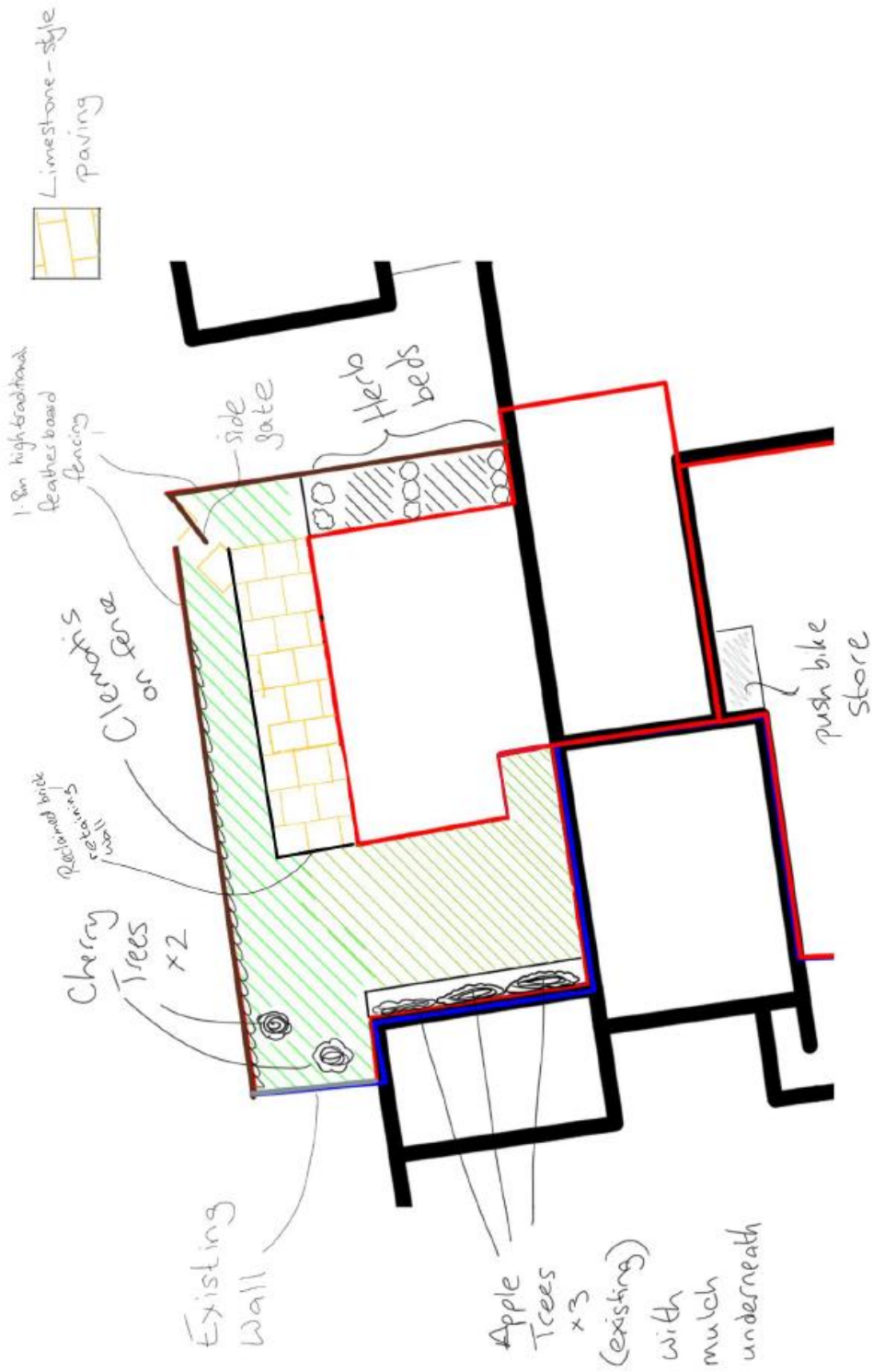
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Sperrin Byre, West Lane, Emberton. Soft landscaping plan.



Key:

-  Lawn
-  Limestone-style paving



A1.0 FULL CONSULTATIONS AND REPRESENTATIONS

A1.1 Emberton Parish Council

“The parish council has no comment to make in relation to this application”.

A1.2 Cllr Peter Geary- Olney Ward

No comments received.

A1.3 Cllr Keith McLean- Olney Ward (member of DCC)

No comments received.

A1.4 Cllr David Hosking- Olney Ward

“I would like to request that, in the event you are minded to grant planning permission, this application be determined by committee.

This is a controversial application with significant public interest. As such, I would expect you to refer it to committee.”

A1.5 MKC Highways

“This application is for the conversion of a barn to a small single dwelling. The proposal incorporates 2 car parking spaces within a courtyard apparently shared with West Farm House. The courtyard allows for turning and manoeuvring and is served by an existing access from West Farm Way.

There do not appear to be any matters that impact on the adjoining highways and the parking provision appears adequate. As a result, there is no objection to planning permission being issued and no conditions are required.”

A1.6 MKC Ecology

No representations were received at the time of writing this report.

A1.7 MKC Conservation

Background

Permission for the conversion and extension of the stone barn was granted on 21/11/18 under 18/00643/FUL. Since then the scheme has been implemented but instead of ‘conversion’ the barn was demolished.

The current application seeks permission for the works of demolition. In reaching my conclusions I have not lent any weight to the barn’s premature loss.

The Barn

The barn forms the end part of a range of garages (converted sheds?) extending eastward from the former farmhouse of West Farm (OS 25 Inch: 1892-14). It is built of stone with a tile roof and until demolition retained something of its historic rural character.

Significance

West Farm appears from the maps to have once been an extensive collection of buildings in village based agricultural use probably under single ownership although no report or photographs are provided about the site's history and development to verify this. All farming activity has ceased and former farm buildings have been demolished and replaced by unimaginative suburban form houses on the opposite side of West Farm Way, which itself has been crudely superimposed on the historic layout of the old farm. The rest of the complex has been subdivided into several ownerships creating variations in appearance through arbitrary choices of doors, windows and finishes. Although at second glance the surviving old farm buildings can be discerned the prevailing character is now much more that of a late C20th suburban enclave.

The barn that is now the subject of the application is unlisted but located in the Emberton Conservation Area. Although altered – the windows are /were domestic details – the barn represented a last vestige of a largely untampered with, rural, agricultural, traditionally made farm building on the West Farm site. This is no longer the case having been demolished almost in its entirety and rebuilt. Many of the old hallmarks of an informally built local farm building will have been lost in its reconstruction and hence is much diminished in terms of its interest.

“Principle of development

The previous application established the principle of conversion and extension, an intensification that brings about significant variations in the built character of the barn and, on its northern side, a complete change in its appearance. Whilst acknowledging the ‘special attention’ accorded to protecting conservation areas I have nevertheless concluded that, in light of the harm already permitted, the additional harm is marginal and provides little basis for a conservation based objection in principle at this stage.

Detail of development

Removing the roof as part of the implementation of the previous consent is likely to have freed the friable traditional lime bedding mortar used in the wall of any strength gained from compression causing it to become unstable to the point where it needed to be dismantled and rebuilt. No structural engineer's report is supplied regarding the roof or the mortar and the eventual need to dismantle the wall but we do have a reassurance that materials were salvaged and reused to create a replica that, outwardly at least, successfully mimics the lost building.

Subject to a visit to inspect the rebuilt barn, rather than the implementation of conditions of permission as should have been the case, I raise no objections on grounds of detail. Once a visit has been made I will email you any further points of discussion / confirmation of no conservation objections.”

Third Party/Neighbour Comments

- A1.8 Thank you for your letter informing me that retrospective planning permission is being requested on the development adjacent to my house. Time given to me to respond has been eroded by a week as that was the length of time that your letter took to arrive. I do, however, wish to comment yet again on this planning application. In fact, this is the fourth time that I have been asked to comment on the project which in my mind makes it controversial and as such should have been put to the planning committee.

The first thing I notice is that the address for the application has been changed from the ‘barn set back from West Farm Way, Emberton MK46 5QP’ to ‘Mounts House, West Lane, Emberton MK46 5DA’. I am not sure of the motive behind this change but it is still the barn accessed via 6 West Farm Way which is my property. As such you will appreciate that I have a serious interest in the development.

I note also that the applicant has identified himself as Mr D J C Soul. I point this out as there has been some confusion regarding the correct identity of the applicant. As there have been several changes in personnel dealing with this application I feel obliged to explain that in April 2018 Mr D J Soul told members of Emberton Parish council that he was the applicant. However, a few months later Mr D J Soul told the same council that he was not the applicant but that his father, Mr D F Soul was the applicant. I believe this was to comply with documentation that had been completed erroneously. It now appears that Mr D J Soul is identifying himself as Mr D J C Soul, presumably to avoid any further confusion. It is satisfying to know that Mr D J C Soul is now taking full responsibility for the application.

Another change I have noticed concerns the size of the basement. It would appear that it is now larger than originally agreed. As the basement has already been dug out, I am wondering when permission was granted for this enlargement. Excavation in such close proximity to my property is a serious concern to me.

I have previously objected to certain aspects of the project, some of which have been taken on board by MK council’s planning department and amendments have been made. I then accepted the decision of the council to grant planning permission for a barn conversion. Work has been taking place and there has been some inconvenience to myself and my family and we have not always been able to access our garages but we have not complained. On the contrary we have tried to cooperate with the builders and accommodate their requirements especially when large lorries have arrived needing to be as close to the site as possible. However, the barn has now been demolished and this is a serious contravention of the planning permission that was granted.

As the barn in question is attached to my property and regardless of what Mr D J C Soul says, he has not signed a party wall agreement with me, I have been concerned about the building work taking place. Needless to say the demolition of the barn caused me great concern. Not just for the safety of my own property but because that was not part of the planning permission. An historic building in a conservation area has been destroyed without prior consent. I also believe that MK's planning department have been negligent in not considering the building's historical value nor is there evidence that they followed their own guidelines when dealing with heritage buildings.

What is more, when I spoke to the builder about the demolition he was unable to prove that the building was unsafe. The piece of the facade that was still standing did not move when he pushed it. This made me wonder about the rest of the building but of course by then it had disappeared completely.

Together with a neighbour I also witnessed the builders throwing the tiles off the roof in a very careless but speedy fashion. The ones that didn't break were put to one side while the others were put in the skip. It was only when the ecologist arrived that the tiles were removed carefully and placed for reuse. These scenarios lead me to believe that due care and attention have not always been at the forefront of the builders' agenda.

That aside, an historic building in a conservation area has been completely demolished without prior approval from the relevant authorities. It is also possible that if the original planning application had included the demolition of an historic building then permission may not have been granted. An individual should not be allowed to destroy part of our heritage for his own personal benefit. Furthermore, and perhaps more importantly is the fact that according to your own Planning enforcement guidelines retrospective planning permission cannot be granted under these circumstances.

I would be grateful if you would give my comments serious consideration before making a decision on this planning application.