

Application Number: 12/00433/FUL

Erection of animal shelter

AT Woodyard Cottage, 3 The Woodyard, Filgrave To Gayhurst Road

FOR Mr Richard Treseder

Target: 20th April 2012

Ward: Sherington

Parish: Filgrave & Tyringham Parish
Meeting

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1.0 INTRODUCTION

(A brief explanation of what the application is about)

1.1 The Site

The application site comprises a large triangular parcel of land situated on the access road or driveway to Tyringham Hall and its junction with Filgrave Road. The land is partially screened by large mature trees along the boundaries with the road and currently used for the grazing of cattle. The site is mature parkland (Historic Park and Garden); forms part of the designated Area of Attractive Landscape and are within the Open Countryside as identified in the Proposals Map of the Milton Keynes Local Plan 2001 – 2011.

The site is within the setting of a significant range of important heritage assets, including Grade I listed Tyringham Hall; Grade II* buildings within the grounds of Tyringham Hall, a number of Grade II listed buildings, walls, gates, and other garden features; the Scheduled Ancient Monument and grade I listed bridge; and the Grade II* listed Church.

Details of the location of the site and its relationship to surrounding properties can be seen in the plans attached to this report.

1.2 The Proposal

Permission is sought for the erection of open-fronted cattle shelter with lockable storage and hard standing area. The proposed structure would be sited at the north-east end of the field close to the existing mature trees which are within the garden of the applicant's property. The proposed structure would have external dimensions of 9.2m long x 3.25m wide with a maximum ridge height of 3.6m. The proposed structure would be constructed with

traditional oak frame with straight-edged cladding with slate roof. Access to the structure would be via the existing gated access from the northeast of the field. The application is accompanied by Historical Appraisal for the building, and Agricultural Justification Statement. Details of the proposal as described above can be seen in the plans appended to this report.

2.0 RELEVANT POLICIES

(The most important policy considerations relating to this application)

2.1 National and Regional Policy

National Planning Policy Framework paragraph 12, 132 and 133

2.2 Local Policy

Adopted Milton Keynes Local Plan 2001-2011

S10 - Open Countryside

S11 - Areas of Attractive Landscape

D1 - Impact of Development Proposal on Locality

D2 - Design of Buildings

HE1 – Protection of Archaeological Sites

HE5 - Development Affecting the Setting of a Listed Building

HE8 - Protection of Historic Parks and Gardens

Core Strategy

CS20 – Historic and Natural Environment

Supplementary Planning Guidance

None

3.0 MAIN ISSUES

(The issues which have the greatest bearing on the decision)

3.1 (1) Whether the development would accord with Policy S10 of the Local Plan relating to development in the open countryside and Policy HE8 regarding the protection of historic parks and garden.

(2) Whether there would be a significant adverse impact upon the setting of the Grade I Listed Tyringham Hall and upon its Grade II* listed buildings within the grounds, grade 2* Listed Historic Parkland a number of Grade II listed buildings, walls, gates, and other garden features; the Scheduled Ancient Monument and grade I listed bridge; and the Grade II* listed Church.

The designated heritage assets fall within the grade II* Registered Park and Garden and should be viewed as a whole as they have significant relationships and views between them.

(3) The impact upon the Ouse Valley Area of Attractive Landscape within which the site lies.

4.0 RECOMMENDATION

(The decision that officers recommend to the Committee)

- 4.1 It is recommended that planning permission be refused for the reasons set out at the end of this report.

5.0 CONSIDERATIONS

(An explanation of the main issues that have lead to the officer Recommendation)

5.1 The Principle of Development in the Open Countryside

The starting point for assessing the planning application is the present land allocation in the Adopted Local Plan, which is open countryside. Here planning permission will normally be refused for development unless it is essential for agriculture, forestry or countryside recreation. The proposed development would be for the purpose of agriculture and therefore acceptable in principle.

However, the site is within the designated Ouse Valley Area of Attractive Landscape, registered parkland and within the setting of numerous nearby listed buildings, all of which must be taken into consideration.

5.2 Impact upon the setting of Tyringham Hall and the Historic Parkland.

The site is within the mature parkland that has been in a similar form since it was laid out as a landscaped park probably by Humphery Repton in around 1793. It is characterised by open areas of green space, with a number of well spaced mature trees. This open parkland area is free from modern agricultural buildings, with existing structures in this area being significant heritage assets. Woodyard Cottage and other former service and agricultural buildings are grouped within a wooded area of 'The Shrubs' so they are not visually prominent in the landscape.

- 5.3 In assessing the position of the proposed cattle shelter, including the additional information submitted, it is considered that the impact on the historic parkland and the setting of listed buildings would be unacceptable. This is because the location of the building would be excessively prominent in the registered parkland and would be seen in relation to views of and from the Grade 1 Listed Tyringham Hall and the associated listed buildings. It is considered that any new building in the open parkland would be harmful to the significance of the designed landscape of the registered park and garden, and the setting of a range of designated heritage assets. The proposed building is not in keeping with the open character of the parkland, and it would be clearly visible in the landscape with public views of it from the road.

5.4 Impact Upon the Ouse Valley Area of Attractive Landscape

Policy S11 of the Local Plan states that development within the Ouse Valley Area of Attractive Landscape should not damage the special character of the

area. In this regard, it is considered that the Gayhurst and Tyringham area, characterised by two Grade 1 Listed Buildings, two Grade 2 registered parklands and a particularly attractive length of the River Ouse, is one of the “jewels in the crown” of the Ouse Valley Area of Attractive Landscape. It is considered that although the proposed development would be an alien feature on the landscape in this particular area however it is not considered that this would be significant to warrant a refusal on this ground.

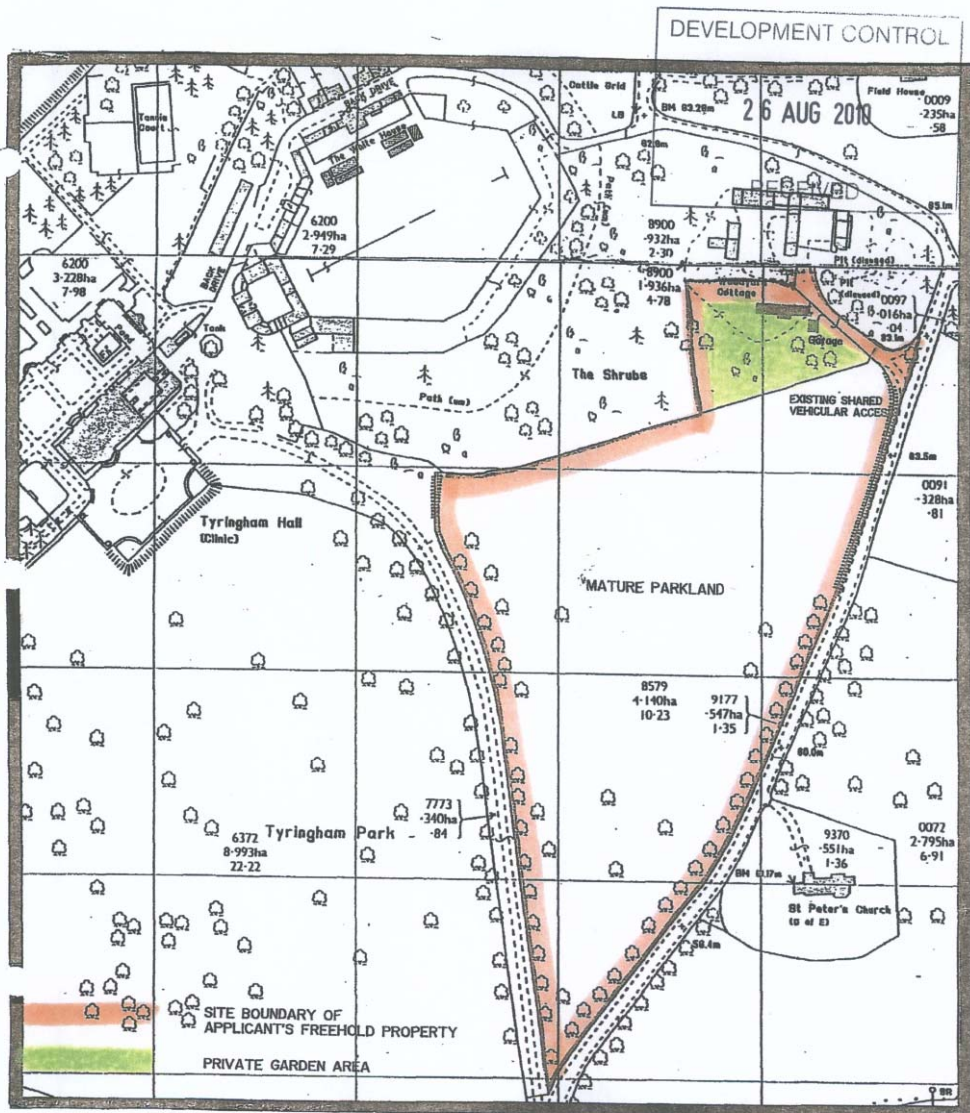
5.5 Conclusions

Whilst the erection of the proposed cattle shed is acceptable in principle, having regard to the main issues the view taken is that proposal would unacceptably harm the character and appearance of the grade II* registered park and garden and the setting of a range of designated heritage assets. This is because the location of the building within this parkland would fail to preserve the significance of this heritage asset and the setting of a number of other highly graded designated heritage assets including. Furthermore, there are no material considerations that outweigh the harm to the public interests identified above and therefore it is recommended that permission should be refused for the reasons below.

6.0 REASONS

(The reasons that officers recommend that the application should be refused. The reasons must be ones that the Council can demonstrate with evidence, should the applicant appeal against the refusal.)

1. The proposed building, by virtue of its location in open parkland would be out of keeping with the open historic parkland character and would fail to preserve the significance of the grade II* registered park and garden, and the setting of a number of other highly graded designated heritage assets, contrary to policies HE5 and HE8 of the Milton Keynes Local Plan, Section 66, of the Planning (Listed Buildings & Conservation Areas) Act 1990, sections 12, 132 and 133 of the NPPF.



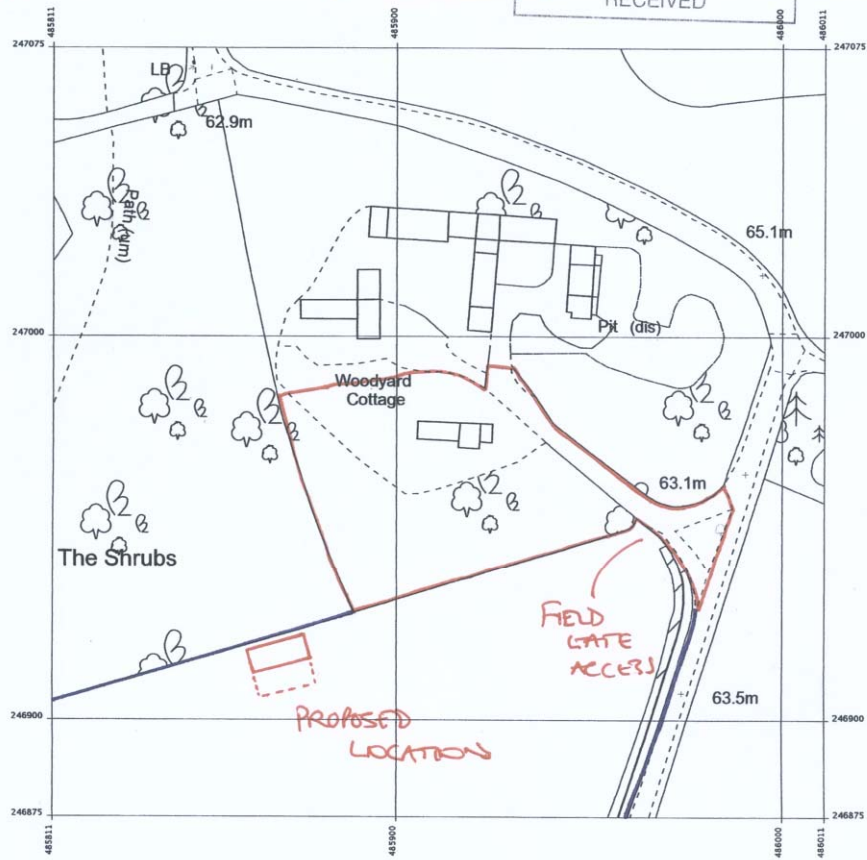
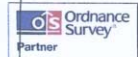
WOODYARD COTTAGE
 TYRINGHAM
 BUCKS.

LOCATION PLAN 1:2500

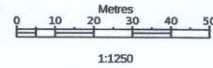
DRG NO. 11699/P1-2500.



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NEWPORT PAGNELL
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The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

Appendix to 12/00433/FUL

1.0 RELEVANT PLANNING HISTORY

(A brief outline of previous planning decisions affecting the site – this may not include every planning application relating to this site, only those that have a bearing on this particular case)

1.1 00/00551/FUL

Permission for single storey front extension on 01.08.2000

04/00598/FUL

Permission for rear conservatory on 04.06.2004

10/00876/FUL

Erection of a 5 bay barn with lockable storage and hard standing (Withdrawn on 02.08.2010)

10/01700/FUL

Permission refused for erection of a 4 bay barn with lockable storage and hard standing (Resubmission) on 14.12.2010

2.0 CONSULTATIONS AND REPRESENTATIONS

(Who has been consulted on the application and the responses received. The following are a brief description of the comments made. The full comments can be read via the Council's web site)

Comments	Officer Response	Policy Reference
2.1 Conservation Officer Objects to the proposal on the by virtue of its location in the open parkland would be out of keeping with the open historic parkland character and would fail to preserve the significance of the grade II* registered park and garden, and the setting of a number of other highly graded designated heritage assets.	Noted	HE5 and HE8 of the Local Plan, Section 66, of the Planning (Listed Buildings & Conservation Areas) Act 1990, section 12 of the NPPF.
Councils Archaeologists Objects due to impact on significance and special interest of the registered park and garden.	Noted	HE8 of Milton Keynes Local Plan 2001-2011 and paragraph 132 and 133 of the National Planning Policy Framework.

English Heritage

Noted

No objection however referred to National Policy Guidance and Local Plan Policy.

The Garden History Society

No representation received

Landscape Services Manager - Trees

No representation received

Parish - Filgrave & Tyringham

Noted however any future conversions will require planning permission

Concerned that this could possibly pave the way for either a barn conversion - easily undertaken due to the nature of the oak construction or for a completely new domestic dwelling to take its place at sometime in the future, either by the present or possible new owners and impact the nature beauty of the area

Ward - Sherington - Cllr Mclean

Noted

Request for panel determination

Local Residents

Noted however any future conversions will require planning permission

3 Letters of objections have been received as summarised below: -

1. Nature and location of the barn
2. Out of keeping with local farm structures
3. Impact on landscape
4. Possible future conversion to domestic dwelling
5. Building should be located in the garden of the applicant

3.0 ADDITIONAL MATTERS

(Matters which were also considered in producing the Recommendation)

3.1 Impact on Residential Amenities

The proposed barn would be located at a distance of approximately 40m from the rear of number 3 Woodyard Cottage, which is the nearest property. Objections have been received from the occupiers of the adjacent residential properties on other issues and with no mention of impact on residential amenities of adjacent occupiers. It is considered that the proposed barn would be sited at a distance that is far enough away for it not to have an adverse impact on the residential amenities of the neighbouring occupiers.