

Stanford in the Vale Parish Council
Objection in respect of Planning Application P24/V1091/N4B

In summary, we maintain our objections in relation to the application site since the proposed passing places do not alleviate the conflict between vulnerable road users and vehicles (large or small) nor does the application address the existing surface water flooding issues affecting the access. Furthermore, we are of the firm opinion that the site fails to meet numerous criteria to be considered for conversion under Class Q of the GDPO 2015, including the existent footprint of the building, its non-agricultural use between 2011-2022 and potentially the garden area as well. Consequently, no application for conversion under Class Q should be considered.

Stanford in the Vale Parish Council objects to the application for the reasons set out below:

Planning History – For clarity and contrary to the assertions made in the applicant’s planning statement, there have been **three (3)** previous applications made in respect of this structure, all of which have been refused. The planning statement also fails to highlight that these have all been to appeal, where the applicant’s appeal has been dismissed on each occasion.

The current application, following on the heels of these three failed attempts carries limited changes. The most significant being the proposal to introduce two more formal passing places, 1 within the limits of the adopted section of Horsecroft, the other along the unadopted Bridleway.

The Proposed Passing Places plan (drawing 33111/101 revision B) included within the Transport Statement suggests that there are two existing, informal passing places located within the adopted section, immediately to the west of Frogmore Brook. The first is a field access, the second is the access to the pumping station. A substantial ditch runs along the northern boundary of both the adopted and unadopted sections. This carries significant quantities of water especially during the winter months, albeit not enough to prevent the road/bridleway from flooding.

Field Access: If a vehicle were to attempt to use the field access as a passing place, due to the limited road width another vehicle would be forced to enter the verge immediately in front of the ditch in order to pass – it is extremely debateable whether another vehicle could indeed pass safely without getting stuck in the ditch.

Pumping Station: This comprises a concrete pad/driveway providing access over the ditch and into the pumping station. It is designed to accommodate the width of a vehicle entering the pumping station, not the length of a vehicle attempting to use it as a passing place. There is no indication as to the weight that this was designed to hold, there are no preventative measures to stop a vehicle from falling into the ditch by mistake and unless a vehicle could be positioned in its entirety on the concrete pad, there would be insufficient roadway remaining for another vehicle to pass. Para 3.2.5 of the transport statement confirms this, despite it being depicted on drawing 33111/101 revision B. The only viable, informal passing place is therefore the widened section of unadopted road to the east of Frogmore Brook – however, this can only be relied upon during dry summer months, since from autumn to spring it usually comprises massive puddles surround by soft mud, which would be inaccessible to anything apart from a 4x4.

Proposed Passing Places Design

The western passing place is proposed to be sited on the northern edge of the adopted highway. There are a number of significant challenges with this proposal:

- 1) The proposed design would interfere with/block the existing ditch, which, as we have already highlighted, is key to the egress of storm water and reducing the risk of flooding to the highway.
- 2) No ecology studies have been provided in order to determine what impacts, if any, such works would have on the natural habitat that the ditch provides. Water voles are known to inhabit other areas of Frogmore Brook and we contend that a detailed appraisal is required in order to ensure that no harm will be done.
- 3) Even if the applicant were able to demonstrate technical solutions to address these problems, the creation of these passing places would unnecessarily urbanise this beautiful country lane which the applicant readily acknowledges is used by a wide variety of people. We believe that this contravenes Para 174 of the NPPF.
- 4) Based on Riparian ownership, it is likely that the land beyond the mid-point of the ditch belongs to the neighbouring field owner. Based on the Location Plan received, this is not within the ownership of the applicant and cannot be relied upon for the creation of this passing place, in our opinion.

Whilst the eastern passing place appears to lie within land under the applicant’s control, we contend that points 1, 2 and 3 above would still be issues here.

Vehicular Movements

Para 3.4.1 of the Transport Statement suggests that this application will see the removal of agricultural vehicles, being replaced by “movements associated with the dwellings”. However, this fails to recognise that agricultural vehicles do not currently and have not historically accessed the barn in question. Therefore, all agricultural vehicle movements required for neighbouring landowners with access from either the adopted or unadopted sections of road will continue *in addition to* the additional vehicle movements from the proposed dwellings. These would be, as the applicant’s Transport Statement identifies, *significantly more intimidating as agricultural vehicles tend to be both wider, longer and higher than cars*. The report only considers conflicts between vehicles and pedestrians, it fails to recognise the increased risk of conflict between a large agricultural vehicle and e.g. a refuse vehicle servicing the proposed dwellings (Nb every other week there is the potential for 3x refuse vehicles to attend the premises on the same day, serving recycling, garden and food waste collections). There is no consideration whatsoever as to the potential for a 3-way conflict between more vulnerable road users (such as pedestrians or equestrians) combined with both agricultural and service vehicles.

Whilst we acknowledge that there are currently limited vehicle movements along the unadopted bridleway (by its very nature), it cannot be ignored that the route is heavily used by pedestrians either as a bridleway, or to access the existing footpath network beyond Horsecroft.

Para 3.4.3 of the Transport Statement provides suggestions around vehicular capacity for single-lane carriageways with passing places at 60m intervals. Para 3.2.4 suggests that the unadopted length is 290m and the passing place is shown approximately half way, thus giving a distance of 145m intervals. However, it is not the capacity of a single track road that we call into question, but the impacts that the proposals would have on equestrians, pedestrians (including dog walkers) and cyclists. The Transport Statement suggests that the drivers of two vehicles would be able to see each other in order to determine whether to proceed beyond the passing place. However, it will always be far more difficult to identify a pedestrian, (which could easily be a child) and especially from 145m distance. Furthermore, should a pedestrian already be beyond a passing place, it is highly unlikely that the vehicle driver will wish to reverse, and equally unlikely that the pedestrian will want to re-trace their steps to permit a vehicle to pass them safely.

We also highlight that many dog owners need to exercise their pets either before or after work which, especially in winter months can see an unusually high number of walkers out before first light or well after sunset. There is no consideration as to how a driver would be in a position to safely identify these groups of vulnerable users in the dark.

Servicing

Section 3.8 of the Transport Statement provides various technical requirements from Manual for Streets in relation to refuse vehicles. It is not clear from the statements provided in 3.8.4 as to exactly where the refuse vehicle should reverse from/to. We suggest that the intention is for the refuse vehicles to travel forwards along the adopted highway/unadopted bridleway, before reversing into the existing site entrance. However, the access shown within Drawing 3739.300 Revision C within the Transport Statement shows an acute angle would be required for reverse entry. No turning sweeps have been shown, but we contend that it is highly unlikely that a refuse vehicle would be capable of making such a manoeuvre within the constraints of the limited carriageway/bridleway width.

Visibility Splays

Whilst the Transport Statement makes reference to the MFS requirements, it fails to demonstrate that the required visibility splays can be achieved.

Flood Risk and Hydrology

Paragraph 3.7.8 of the Applicant’s Flood Risk & Hydrology Survey states:

The property itself is indicated to be unaffected by flooding now or in the future. However, flooding is indicated on a discrete section of Horsecroft (lane) as it passes over the Frogmore Brook, with the site access situated within Flood Zone 3a and with further investigation required

The map provided at para 3.16.2 shows that the access road/bridleway of Horsecroft is at high risk of flooding

Paragraph 4.2.17 then blandly states:

The flood risk to the access road is also indicated to be Very Low, with no flood mitigation proposed and with residual risks concluded to be suitably discharged via flood management, as outlined below.

Below are some photos of this 'Very Low' flood risk:





These photos are not unusual. This route floods almost every year & on occasion adult pedestrians wearing full height wellington boots cannot transit the bridleway as the water is too deep.

The alternative route for vehicles proposed by the Applicant in the Transport Statement (para 4.3.4) is extremely tenuous too in wet weather without a 4 wheel drive vehicle. Additionally pre-booked delivery vehicles, postal and refuse disposal vehicles will attempt to use the flooded Horsecroft route and either get stuck or cause considerable verge damage trying to reverse long distances through a flood on a very narrow tarmac surface.

Scale

As set out in the Condition Survey, the existing building comprises a steel framed barn with a timber canopy to the front. We understand that, under GPDO Class Q, 2015 the cumulative floor space of the existing building(s) must not exceed 450 square metres and that it is not possible to reduce the size of the building through partial demolition in order to meet this threshold. We estimate the floor space of the steel framed barn and timber canopy to be 663 square metres, which would mean that the proposal fails to meet the criteria for a Class Q conversion.



Garden Footprint

The applicant's plan shows a red line parking and garden area within the larger site. Presumably the applicant is implying that the garden size is no larger than the size of the dwelling in accordance with the Class Q regulations.

Whilst the "red line" is within this, it fails to provide any meaningful private amenity space for the dwellings which is contrary to Local Plan and national design guide. It is also highly implausible that the remainder of the land surrounding the red line would be used for any purpose other than the amenity of the dwellings.

Usage

Agricultural Buildings and Agricultural Units are defined as follows (see Town and Country Planning (General Permitted Development) (England) Order 2015 No. 596, Schedule 2, Part 3, Class V, Paragraph X as follows (See: <https://www.legislation.gov.uk/uksi/2015/596/schedule/2/paragraph/X/made>):

“agricultural building” means a building (excluding a dwellinghouse) used for agriculture and which is so used for the purposes of a trade or business; and “agricultural use” refers to such uses;

“established agricultural unit” means agricultural land occupied as a unit for the purposes of agriculture—

(a) for the purposes of Class R, on or before 3rd July 2012 or for 10 years before the date the development begins; or

(b) for the purposes of Class Q or S, on or before 20th March 2013 or for 10 years before the date the development begins;

We attach documented evidence at Page 6 of this response from the directors of Fowler & Sons Master Thatchers that the site in question was leased to the company from 2011 until May 2021, before they fully vacated the premises on 31 January, 2022. This establishes that the building was used to accommodate a roofing business, not an agricultural use and crucially that they held the tenancy and occupied the premises on 20th March 2013. Once again, this fails to meet the criteria required for a Class Q application.

Other Matters

Aside from the provisions of the General Permitted Development Order, the SITV Neighbourhood Plan Wildlife Survey Mar - Jun 2017 notes that "Barn Owls [are] seen over fields and neighbouring gardens [in the village and surrounding areas] from March to May." We are aware that Barn Owls have nested within the barn for many years and we have received information from parishioners that barn owls are nesting there this year too. The Barn Owl is on Schedule 1 of both the Wildlife and Countryside Act, 1981 and The Wildlife (Northern Ireland) Order, 1985; therefore the birds, their nests, eggs and young are fully protected at all times throughout the UK. The evidence of the NP is corroborated by numerous recent sightings reported to us by residents. This development will clearly destroy important habitat for this protected wildlife species and would likely be illegal.

To: The Chairman of Stanford in the Vale Parish Council

c/o Parish Clerk
Hawthorn House,
12, Mawkes Close
Stanford in the Vale
Faringdon
Oxon SN7 8FB

Date: 30 June 2023

Dear Mr Middleton

Reference Thatcher's Barn, Stanford in the Vale

My name is Steve Fowler, and I am the Director & owner of Fowler & Sons Master Thatchers Limited.

In 2011 my company sold the barn and associated land known as Thatchers Barn in Stanford in the Vale to Mr Mark Stoneham who owned much of the farmland surrounding the property. The property was sold with the agreement that we could have a 10-year lease for the property which was used as a base for my Company's thatching business. This was so that we could continue to use the barn to store and prepare the thatch for use and to keep our equipment in the barn to do this, which we were very grateful for.

At the end of the lease no new long-term lease was offered, we were offered a 12-month lease with a 3-month notice period buy either side, so we decided to vacate the barn and move elsewhere, which we would have to do anyway. This was in May 2021, this is when Mr Stoneham put in the concrete base to $\frac{3}{4}$ of the barn, in fairness we were left alone to remove our equipment and straw until used, we finally fully vacated the barn on 31 Jan 2022.

Yours sincerely
Steve Fowler

