PLANNING STATEMENT

on behalf of Mr Darren Coote

Certificate of Lawful Existing Use

Relating to Westfield Farm Great North Road Buckden St Neots PE19 5XJ

Prepared by: Tom Kilvert, Senior Associate Planner

Reviewed by: Simon Tindle, Divisional Partner

For and on behalf of Brown & Co.

Brown & Co is a leading provider of agency, professional and consultancy services across the whole range of rural, commercial, residential, and agricultural markets.

Date: June 2025.

Reference: 061911.

1. Introduction

1.1 This planning statement has been prepared by Brown&Co on behalf of Mr Darren Coote (Applicant) in relation to a certificate of lawful existing use under S191 of the Town and Country Planning Act 1990, in relation to the use of outbuildings at Westfield Farm, Great North Road, Buckden St Neots PE19 5XJ.

1.2 The purpose of this statement is to set out the factual position to demonstrate that the outbuildings at Westfield Farm have been used for incidental purposes in association with the residential property for over 10 years. As such, the use is lawful.

1.3 The statement is structured as follows:

- Section 2: describes the physical characteristics of the site and its surroundings;
- Section 3: outlines the application submission:
- Section 4: sets out the relevant site background;
- Section 5 provides the planning assessment; and:
- Section 6: briefly sets out our overall conclusions on the proposal.

2. Site and surroundings

2.1 Westfield Farm is situated on the west side of the village, to the west of the A1. The property comprises a detached dwelling and a range of former stables, garages and agricultural buildings within a wider land ownership that extends to 1.87 ha. Westfield Farmhouse was constructed in 2011, replacing the original house that was in a dilapidated condition and was situated within the accompanying application site area.

2.2 The site relates to buildings to the east of the Applicant's dwelling, Westfield Farmhouse, and south of the property No. 1 Great North Road. The buildings on the site comprise four structures, as labelled on Figure 1 and consist of a former agricultural building (Structure A), garage block (Structure B), small storeroom (Structure C) and former stable block (Structure D).

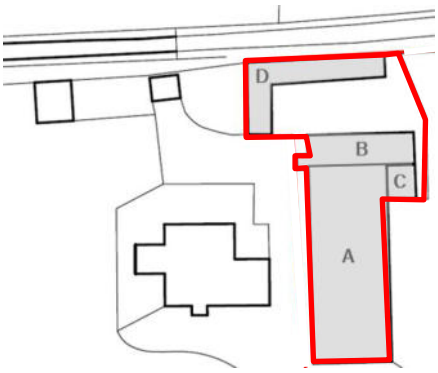

Figure 1: Existing Site Plan

Structure A: a 3 bay steel frame storage building measuring approximately 13.5 m x 33.5 m with a built footprint of approximately 442 m2.



Figure 2: Structure A

Structure B: A garage block building of concrete block construction measuring overall approximately 20.5 m x 6.3 m with a built footprint of approximately 105 m2.



Figure 3: Structure B

Structure C: a flat roofed store measuring approximately 5.25 m x 5.5 m with a built footprint of approximately 26 m2.



Figure 4: Structure C behind Structure B

Structure D: an 'L' plan former stable block measuring overall approximately 24 m x 13 m with a built footprint of approximately 121 m2.



Figure 5: Structure D

3. Application Submission

3.1 The application submission comprises a Lawful Development Certificate for the existing use of the outbuildings at Westfield Farm, Great North Road, Buckden, St Neots, PE19 5XJ for incidental purposes in association with the residential property.

4. Site Background

4.1 The applicant purchased Westfield Farm, along with his partner Sarah Luisa Melton in 2009 and subsequently submitted and obtained planning permission to replace the existing dwelling house with associated residential curtilage works on 12th July 2010 (LPA Ref: 1000355FUL). Of note, the Officer's Report stated that *"the original submission has been amended to remove re-cladding of the farm buildings from the scheme, as sufficient justification was not demonstrated for the use of farm buildings within what is now considered to be a domestic curtilage."* Therefore, even in 2010, Officers had questioned whether the agricultural barns were to be used for residential purposes, even before the Applicant replaced the dwelling. The approved site location plan is included below, with the extent of residential curtilage edged in red.

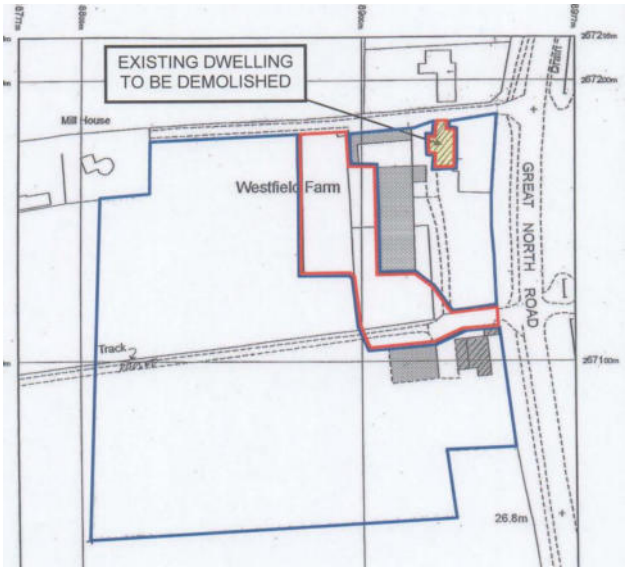

Figure 6: Approved Site Location Plan (LPA Ref: 1000355FUL)

4.2 The Applicant is a builder by trade and operates Darren Coote Builders, so once the various conditions were discharged to LPA Ref: 1000355FUL, they lawfully completed the building works of the replacement dwelling house at Westfield Farm in 2011. The building works were completed alongside tradesmen, such as Paul Andrews, a local carpenter. This is corroborated in Paul Andrews' Declaration contained at **Appendix C**. The Applicant moved into the property along with his partner, daughter and mother in May 2011, as confirmed in Darren Coote's Declaration at **Appendix B**.

4.3 The applicant re-cladded the agricultural barn so it could be securely used for purposes in association with the residential property alongside a garage and stable block. The extent of this area is edged in red in the Location Plan contained at **Appendix A**. On 29th July 2013, retrospective planning permission was given for the retention of cladding to the agricultural outbuilding (1201670FUL).

4.4 Since July 2011, the Applicant has been using the large former agricultural barn for purposes in association with the residential property. This includes storage of wood for home fuel, personal motor cars, a tractor and cutting equipment for managing paddock land within the site ownership. In addition, tools, plant equipment, trucks and building materials have been used in association with their building business since. The use of the former agricultural building are evidenced by the Applicant's declaration at **Appendix B** and photographs contained at **Appendix D**.

4.5 The garage block has been used by the family for car storage, additional freezer space, camping equipment, garden furniture, and bedding for pets. This is evidenced by Applicant's declaration at **Appendix B** and photographs contained at **Appendix E**.

4.6 The small store has been used by the family for rearing chickens. This is evidenced by Applicant's declaration at **Appendix B** and photographs contained at **Appendix F**.

4.7 The former stable block has been used as a home gym and storage for excess furniture. This is evidenced by Applicant's declaration at **Appendix B** and photographs contained at **Appendix G**.

4.8 It should also be noted that a Permission in Principle application was initially refused by the Council in March 2024 (LPA Ref: 23/02476/PIP), concerning the demolition of the existing buildings associated with this Lawful Development Certificate application. Nevertheless, the proposal was subsequently allowed at Appeal in March 2025 (APP/H0520/W/24/3344269). The Applicant's Planning Statement and Appeal Statement stated that the existing buildings have been used for incidental purposes in association with the residential property. The Council's Officer Report and Planning Inspector's Appeal Decision both do not dispute that the buildings have been used for these stated uses.

5. Planning Assessment

5.1 Section 191 (1) of the Town and Country Planning Act 1990 (as amended) enables anyone to apply to the Local Planning Authority for a decision whether a specified existing use, operation, or failure to comply with a planning condition or limitation, which has already been carried out on land, is lawful for planning purposes.

5.2 Subsection (4) of section 191 provides that if, on an application under the section, the Local Planning Authority are provided with information satisfying them of the lawfulness at the time of the application, of the use, operations or other matter described in the application or that description substituted by them, they shall issue a certificate to that effect.

5.3 Section 171B of the 1990 Act states that '*in the case of any other breach of planning control, no enforcement action may be taken after the end of the period ten years beginning with the date of the breach'.*

5.4 If the Local Planning Authority has no evidence of their own, or from others, to contradict or otherwise make the applicant's version of events less probable, there is no good reason to refuse the application, provided the applicant's evidence alone is sufficiently precise and unambiguous to justify the grant of a certificate "on the balance of probability." This is reinforced through the Planning Practice Guidance.

5.5 The supporting evidence set out in Section 4 above demonstrates that the outbuildings consisting of a former agricultural barn (Structure A), garage block (Structure B), small store room (Structure C) and former stable block (Structure D) have been used for purposes in association with the residential property for more than ten years.

6. Conclusion

6.1 For all of the foregoing reasons, it is considered that there is sufficient evidence to support the application and confirm that the outbuildings at Westfield Farm, Great North Road, Buckden St Neots PE19 5XJ have been used for purposes in association with the residential property for more than ten years.

6.2 The Council is therefore requested to confirm that the applicant is entitled to a Certificate of Lawful Use under Section 191 of the Town and Country Planning Act 1990 (as amended).

APPENDICES:

A – Location Plan
B – Darren Coote's Declaration
C – Paul Andrews's Declaration
D – Former Agricultural Building Internal Photographs
E – Former Garage Block Internal Photographs
F – Small store room Internal Photographs
G – Former Stable Block Internal Photographs