Hugh Petre, Ferriers House, Bures CO8 5DL

13 October 2026

Planning Services, Braintree District Council, Causeway House, Bocking End, Braintree CM7 9HB

RESPONSE TO THE APPLICANTS' PLANNING STATEMENT

Application: 26/01924/FUL, Barns at Ferriers Farm, Ferriers Lane, Bures Hamlet, CO8 5DL

Document responded to: Planning Statement, Fowler Architecture & Planning, reference MP/230722, Issue 7 (29 September 2026)

This note responds to the Planning Statement submitted for the applicants, Mr and Mrs A Welch, by Fowler Architecture & Planning (reference MP/230722, Issue 7, uploaded on 29 September 2026). References in the first column, and bare paragraph numbers such as "(6.8)", are to the paragraph numbers of this Planning Statement (Issue 7). References to "section" and to Annexes A to F are to our objection letter on this application.

We have responded to every assertion that is wrong, incomplete or contradicted by the evidence. Where we have nothing to add, we have left the point out. Many of the Statement's claims are contradicted not by us but by the Council's own findings, by the applicants' earlier statements, or by other parts of the same document. In 2023 the Council's officers described the applicants' approach as "disingenuous" (2023 Officer's Report, paragraph 10.3.11), we believe the below highlights this continued pattern.

1. Summary of the main inconsistencies

- **The site is accepted to be isolated.** The Statement concedes that "the site is in an isolated location, outside a defined settlement" (6.8), yet elsewhere calls it sustainable, a short walk to "the town", served by a footway (6.13, 7.6).
- **The barns' condition.** The Statement says the barns have "only required minor repairs" and are "in very good condition structurally" (6.4). It also records that the Council doubted in 2019 whether they were capable of conversion without complete reconstruction (3.3), says that investment would be needed before any business could occupy them (6.6(a)), and relies on a structural report calling for concrete underpinning. The proposed works include box with in a box structures, load bearing cellular divisions, heavier and new roofs, demolition, new walls and a new wing, all of which are highly complex, invasive & structurally significant interventions.
- **The purpose of the works.** The Statement says the 2019–20 works were to keep the barns in agricultural use (6.5), but also that the barns are "no longer in active use" (2.2), "have not been in agricultural use for some time" (6.6(a)) and are "redundant" (6.9). An application to convert them to houses was before the Council when the works began.
- **The Council's "confirmation".** The Statement says the Council confirmed before the works that no permission was needed (6.5). The Council in fact recorded "a breach of planning control" and told the agent to stop (section 2.3). No such confirmation has been produced in five applications.
- **Bures Pit.** The Statement describes Bures Pit as "a disused gravel pit" (2.5). It is not: far from being disused, Bures Pit is in extensive use, as anyone local would know. The Statement also contradicts itself, discussing HGV movements to the same pit, which it there calls Ferriers Pit (6.6(d)), relying on a noise assessment, and listing a Waste Infrastructure Impact Assessment (1.1), a document needed only near an operating waste site.

- **Local knowledge.** The Statement gets basic facts about the area wrong. It calls Bures Pit disused (2.5), calls Bures a “town” (6.13), and says the Cheffins marketing boards were taken down in October 2025 (6.6(a)), when they are still up and plainly visible. Anyone local would know all three. These errors show that the applicants’ consultants do not know the site or the local community, and their description of the site should not be accepted without checking.
- **Neighbouring homes.** Ferriers Farmhouse is “the only residential property in the vicinity” (2.5), but there are also “a number of existing residential properties along Ferriers Lane” (6.6(d)).
- **Farm traffic.** There are “no agricultural movements going into and out of the site” (3.9), but the access “currently accommodates all manner of agricultural machinery and heavy equipment” (6.6(c)).
- **Marketing.** The barns were offered at “Price On Application”, yet enquirers were “driven by the attractive price”; and twelve of the fourteen enquirers wanted to rent the space, which is evidence of demand for business use, not its absence (6.6(a)).
- **Agricultural need.** The Statement says demand for agricultural buildings is limited (6.6(a)). The opposite is true: Clees Hall Estate, which farms the surrounding fields, says in its objection that it expects in due course to build livestock and farm storage buildings, probably close to the proposed development.
- **Heritage.** The Statement says none of the previous reasons for refusal related to heritage (6.6(b)), but its own pages 9 and 10 reproduce two refusals that cite harm to the setting of the listed buildings (3.6, 3.7).
- **Policy.** The Statement relies on a plan-making policy (HO3) that the NPPF says must not be used in decisions (5.25, 7.5), applies the wrong decision test (7.12), and offers “no net loss” of biodiversity where the law and the Neighbourhood Plan policy it cites require a 10% gain (6.23).

2. Point-by-point response

Para.	The Planning Statement says	Our response
1.1	The application “follows the withdrawal of a similar application” (21/01966/FUL) in August 2023.	This understates the history. 21/01966/FUL was recommended for refusal for three reasons and withdrawn a week before the Planning Committee (3.4–3.5 of the Statement itself). It was preceded by 19/00289/FUL, withdrawn after officer concerns, and followed by two Class Q applications, both refused. This is the fifth application for these barns (section 2.2).
1.1	The documents listed include a Marketing Report by Cheffins, a Landscape Appraisal with an update letter, and a Waste Infrastructure Impact Assessment by Enzygo.	**Inconsistent with the rest of the Statement.** The Statement later calls the landscape document a “Landscape & Visual Impact Assessment” (6.6(e), 7.9), but what is listed is a 2021 Landscape Appraisal with a short update letter dated 13 April 2026. It also relies on a “Highways Technical Note” (6.16) that does not appear in the list. The Cheffins Marketing Report is listed but, as at 13 October 2026, it is still not on the planning portal (section 6). A Waste Infrastructure Impact Assessment is needed only for development within 250 metres of a safeguarded waste site (Waste Local Plan Policy 2), which contradicts the Statement’s description of the neighbouring pit as “disused” (2.5) and “some 250m or so” away (6.6(d)).

Para.	The Planning Statement says	Our response
1.2	The scheme will “re-use redundant or disused buildings and enhance its immediate setting” (NPPF Policy HO11) and “significantly boost the supply of homes” (Policy HO13).	Policy HO11(1)(c) requires both reuse **and** enhancement of the immediate setting. The Council has already found that this scheme would “materially alter and erode” the setting of the listed buildings and be “overly modern and over-domesticated” (section 4). Policy HO13 concerns the build-out of sites with permission; it is not a reason to grant permission.
1.3	The proposal will deliver “three high-quality homes” and bring “three existing buildings back into a beneficial use”.	The “existing buildings” are largely the product of the unauthorised 2019–20 rebuild (sections 2.3 and 3; Annexes A and B). The materials used in that rebuild (new perforated bricks, machine-made tiles imported in crates from a Chinese supplier, plastic guttering) do not support the claim of high quality (Annex C).
2.2	The barns are “constructed from a palette of traditional materials; including red brick, horizontal timber cladding and plain clay tiles”.	Much of what is visible today is new: new wire-cut bricks, new black cladding, new roof timbers and imported tiles, fitted in 2019–20 (Annexes B and C).
2.2	The barns “historically formed part of the wider agricultural holding at Ferriers Farm but are no longer in active use”.	We agree that the barns are no longer in agricultural use; so has the Council, twice. But this contradicts the Statement’s claim that the 2019–20 works were to keep the barns “in their present agricultural use” (6.5), its claim that the applicants’ storage was “primarily agricultural” (3.8), and the application form, which gives the existing use as agriculture (section 12).
2.3	Barn 1 is approximately 319.3 m², Barn 2 262.6 m² and Barn 3 115.6 m².	On the Statement’s own figure, the extension to Barn 3 (about 34 m²) would increase it by almost 30%. That is not the “small single storey” addition described at 4.8, and it is a disproportionate increase in size under NPPF Policy S5(1)(c) (section 5).
2.5	Ferriers Farmhouse “is the only residential property in the vicinity of the site”.	**Contradicted by the Statement itself.** At 6.6(d) it says “there are a number of existing residential properties along Ferriers Lane”. The Statement also omits Ferriers Barn, a day centre for disabled adults on the same lane, reached daily by ambulances (section 2.1).
2.5	The neighbouring listed building to the north-west is “the ancillary building”.	The Court Barn is a mid to late 16th-century building, listed Grade II in its own right (list entry 1338087), and a known bat habitat (section 7). Describing it as “ancillary” understates its significance.
2.5	“Beyond Ferriers Farmhouse to the north east is Bures Pit, which is a disused gravel pit.”	**Wrong.** Far from being disused, Bures Pit is in extensive use, as anyone local would know. It is an operating aggregate recycling facility, permitted under ESS/82/19/BTE for up to 250 HGV movements a week, with its crusher on the boundary nearest the barns, about 100 metres from Barn 1 (section 10). A description this far from the truth shows that the Statement’s authors do not know the site. The Statement also contradicts itself: under the name “Ferriers Pit” it discusses HGV movements to and from the same site (6.6(d)), relies on a noise assessment, and lists a Waste Infrastructure Impact Assessment (1.1).

Para.	The Planning Statement says	Our response
2.6	There is “a gentle fall in levels across the site”.	Officers found the access “very narrow and of steep gradient” (2023 Officer’s Report, paragraph 11.7.7). The applicants’ own Structural Survey describes Barn 1 on steeply sloping ground retaining 1.0 m of earth, and Barn 2 retaining up to 1.5 m (section 5).
2.8	There are no public rights of way through the site; footpath 5 and bridleway 22 run nearby.	Barn 3 is immediately adjacent to the footpath and bridleway (section 2.1). Officers found that domestic use would be evident “particularly from the Public Footpath” (paragraph 11.10.5), and the Neighbourhood Plan proposes reinstating the Ferriers Pit footpath beside the site (Policy BP24).
2.8 (second)	The site is not subject to any “local/national landscape designations, including the Dedham Vale National Landscape”.	The Statement omits that the site lies within the Stour Valley Project Area, which the Council records “has been assessed as having similar natural beauty and special qualities as the Dedham Vale AONB” (2023 Officer’s Report, paragraph 11.11.1), and about a mile from the National Landscape itself (section 8). The Statement itself later cites Neighbourhood Plan Policy BP1, which covers the Project Area (5.32). It also cites the superseded 2021–2026 Management Plan (5.33); the 2026–31 Plan is now in force. (The Statement has two paragraphs numbered 2.8, and two each numbered 5.10 and 5.11.)
2.9	The site is in flood zone 1 and “not in an area at risk of surface water flooding”.	Flood zone status is not the issue. The issue is drainage on a steep, wet clay site where water was found in every trial pit, where the applicants’ earlier structural report records collapse caused by hydrostatic pressure, and where surface water would go to soakaways without infiltration tests, close to Cambridge Brook and Ferriers Brook (section 11). No flood risk assessment or drainage strategy has been submitted (6.23). Clees Hall Estate, which farms the surrounding land, says in its objection that its fields are low-lying and susceptible to flooding in heavy rain, and that more dwellings and hard surfacing would increase the risk and cost to it of drainage works or damage to its land.
3.3	The first application was withdrawn because of the Council’s concerns about “whether the subject barns were of a permanent and substantial construction, capable of conversion without major extension or complete reconstruction”.	**This contradicts paragraph 6.4**, which claims the barns have “only required minor repairs and ongoing maintenance”. The Council doubted the barns’ construction in 2019 for good reason: the applicants’ own structural engineers, RCA Structures, found the foundations inadequate and called for extensive structural work, including substantial underpinning (section 5). The rebuilding began within weeks (section 2.3).
3.4	21/01966/FUL “sat in the system for a considerable period of time (2+ years)”.	During that time the applicants pursued two Class Q applications for the same barns, for five dwellings and then one, while the three-dwelling application was still pending (section 12). They withdrew it a week before it was to be refused.

Para.	The Planning Statement says	Our response
3.8	The storage referred to was an “obsolete dingy”; the applicants’ storage was “primarily agricultural” in a farm-to-farm move; the cars were stored for about two months; domestic contents were stored elsewhere.	The Statement says this is “not necessarily relevant” and then seeks to reopen it. The Council’s finding was not about the applicants’ storage. It was that Barns 1 and 2 had been used by the Lamarsh Shoot from about 2000 to 2015, a leisure use, and that the barns were excluded from the farming contract from 2004 to 2019 (23/00834/COUPA; section 2.2). The shoot’s use in fact went back further still (section 6). Storage in the course of a house move is not agricultural use. Before an officer’s site visit in 2021, hay bales and an old plough were moved into Barn 3, giving it the appearance of agricultural use (section 2.3).
3.9	Farm machinery no longer passes between Barns 1 and 2, the fields “are now in separate ownership, so there are no agricultural movements going into and out of the site”.	**Contradicted by paragraph 6.6(c)**, which says the access “currently accommodates all manner of agricultural machinery and heavy equipment / deliveries”. The Council recorded farm machinery using the access between Barns 1 and 2 in 2023 (2023 Officer’s Report, paragraph 5.3). In any case, the claim misses the point. Barn 3 is directly adjacent to the access and entrance used by large agricultural machinery farming the fields immediately next to the proposed development, so farm traffic would pass right beside one of the proposed homes whoever owns the fields. The Council has already found this undesirable: both Class Q refusals, reproduced at page 9 of the Statement, say that the movements of large-scale farm machinery beside the buildings make them “impractical and undesirable to reside in” (23/00834/COUPA and 23/01976/COUPA; 3.6, 3.7). Any change in the use of the yard is the result of the applicants’ own sale of the farmland. Clees Hall Estate, which farms the surrounding fields, adds in its objection that its farming brings noise, odour and dust, that a nearby loading bay is used frequently and often at unsocial hours, and that complaints from new occupants could unfairly restrict the lawful operation of the farm.
3.10	“This current application addresses the concerns expressed during the course of the previous application.”	It does not. The floor plans are, room for room, those of 2019 and 2021 (Annex D), and paragraph 4.1 itself describes the scheme as “consistent with previous proposals”. The Statement concedes that the housing mix still conflicts with policy (7.7) and, on sustainability, argues that the Council was “incorrect” rather than addressing its concern (6.16).
4.2	Barn 1’s “main private amenity space will be to the rear, which will be both private and useable”.	The rear of Barn 1 stands about 5 metres from the boundary of Ferriers and abuts its drive and amenity space (section 10; Annex E, E1). It also faces towards the crusher on the southern boundary of the nearby aggregate recycling operation. There is no room there for a private garden. The plans show one shared space for all three houses, with no private boundaries (section 10).
4.3	The lean-to on Barn 1 is to be removed.	The Council has found this demolition “not reasonably necessarily required” for conversion (23/00834/COUPA). The Design and Access Statement uses it to net off the new floorspace elsewhere, arriving at a figure of just 5 m² of additional floorspace (section 5).

Para.	The Planning Statement says	Our response
4.4, 4.6	External alterations “have been kept to a minimum”; only “minor works” are proposed to Barn 2’s roof.	The scheme puts back the three skylights on Barn 1’s south-east elevation that the Council’s Historic Buildings Consultant required to be removed in 2021, beside the listed Court Barn (section 7). On Barn 2 it raises the ridge, widens the bay and adds a heavier roof on a building whose buttresses the Structural Survey describes as “no longer functioning” and which “will require a concrete underpinning approach” (section 5). These are not minor works.
4.7	Barn 3’s “main private amenity space will be to the rear, which will be both private and useable”.	The rear of Barn 3 is immediately adjacent to the public footpath and bridleway (section 2.1). A garden there would be neither private nor screened without boundary treatment that officers have found would itself cause harm (2023 Officer’s Report, paragraph 11.2.14).
4.8	A “small single storey” extension is proposed on Barn 3 to accommodate the principal bedroom.	About 34 m², almost 30% of the barn’s floorspace on the Statement’s own figure (2.3). It encloses and extends an open-fronted cart lodge, which is the erection of a new building, not a conversion (section 5).
4.12, 6.6(c)	The drive will be widened “outside RPA of existing tree”; tracking plans show the works are feasible; the lane already takes agricultural machinery, oil deliveries and refuse lorries.	Reason 3 concerned the width and gradient of the drive to the barns, not the bearing capacity of Ferriers Lane. Officers found the drive “only about 3m wide at some points”, steep, and that widening to 4.5 m would need changes of level and retaining structures and would encroach on the root protection area of the Category B1 horse chestnut (2023 Officer’s Report, paragraphs 11.7.7–11.7.8 and 11.9.3–11.9.4). Tracking diagrams do not show how the levels would be dealt with. Ferriers Lane itself is a private, unmade, single-track lane owned by Ferriers Pit Ltd, with about two HGVs an hour and a blind bend onto Lamarsh Hill, and the Council has twice found it unsuitable as an access (sections 2.4 and 9). Clees Hall Estate also objects that the lane is unmade and rutted, is used frequently by slow-moving, heavy farm machinery and for deliveries and collections of seed, grain, fertiliser and other supplies, and that more traffic would increase the health and safety risks and the likelihood of an accident.
5.3	The development plan comprises the Braintree District Local Plan 2013–2033.	The development plan also includes the Essex Minerals Local Plan (2014) and the Essex and Southend-on-Sea Waste Local Plan (2017). Policy 2 of the Waste Local Plan safeguards the neighbouring waste site and is directly relevant (section 10). The Statement does not mention either plan, although it lists a Waste Infrastructure Impact Assessment.
5.8	Bures Hamlet is a second-tier settlement where small-scale development may be sustainable.	The site is not in Bures Hamlet. It lies outside the development boundary, in open countryside, and the Statement accepts it is isolated (6.8). Officers found that Bures Hamlet lacks “the full range of facilities of a Key Service Village” (2023 Officer’s Report, paragraph 11.1.3).

Para.	The Planning Statement says	Our response
5.22, 7.12–7.13	Development that accords with an up-to-date development plan and the national decision-making policies “should be approved without delay”; the adverse effects “do not substantially outweigh the benefits”.	That presumption applies only to development that accords with both, which this does not. Outside settlements the NPPF applies Policy S5, and for isolated homes, which the Statement accepts this is (6.8), Policy S5(3) allows approval only under Policy HO11. The “substantially outweighed” balance in Policy S5(1) does not apply to isolated homes, and if the scheme falls outside the listed categories, Policy S5(4) requires exceptional circumstances (sections 4 and 5).
5.25, 7.5	Policy HO3 requires a five-year supply of housing land, and the proposal would help maintain it.	Policy HO3 is a plan-making policy. The NPPF states that plan-making policies “should not be used when making decisions on development proposals” (Introduction, paragraph 8). Housing land supply bears on decisions only through Policy S5(1)(j), which requires development to be physically well-related to an existing settlement; the Statement accepts this site is isolated (6.8).
5.29, 6.3	Policy LPP 40 is consistent with national policy and should be given full weight.	We agree. That means its requirements apply in full: buildings of permanent and substantial construction capable of conversion without complete rebuilding, marketing for business use, and no unacceptable impact on heritage assets, residential amenity or the countryside. Its supporting text also states that deliberate mismanagement of a site will not count as a benefit. Officers applied this policy in 2023 and recommended refusal (section 3).
5.30	The Neighbourhood Plan Regulation 18 Decision Statement was published on 27 August 2026 and the Plan will now go to referendum.	We agree that the Plan is at an advanced stage and carries significant weight. Its policies weigh against the scheme: Policy BP14 (housing mix), which the Statement accepts the scheme does not meet (6.21, 7.7), and Policy BP18, which permits development outside settlement boundaries only where it accords with national, district and neighbourhood policies and harms no heritage or landscape designation.
6.4	All three barns are of permanent and substantial construction, have “only required minor repairs and ongoing maintenance” since the 1870s, and are “in very good condition structurally”.	**This is the central claim, and the evidence contradicts it.** Before the 2019–20 works, Barn 1 had no roof and its windows lay on the ground; Barn 2’s roof had collapsed; and the Council found that Barn 3 had “assimilated back to nature” (Annex A; 23/01976/COUPA). The applicants’ own engineers, RCA Structures, found the foundations inadequate in 2019. The walls of Barn 1 were pulled down with a loader, and Barn 1 was still being rebuilt in November 2020 (Annex B, B2). The barns are in good condition now because they were rebuilt, without permission. Even so, the current Structural Survey calls for concrete underpinning of Barns 1 and 2, says Barn 2’s buttresses are “no longer functioning”, and says part of Barn 1 “may be better replaced” (section 5). The Statement’s own paragraph 3.3 records the Council’s doubts in 2019.

Para.	The Planning Statement says	Our response
6.5	The applicants were “entirely transparent with the Council” and the Council “were aware of the works that were to be undertaken”.	The Council learned of the works from us. In May 2019 the agent assured the Council that the clearance was only to give a structural surveyor access; within days contractors were building a new roof on Barn 1 (section 2.3). The Council then recorded a breach of planning control, notified its Enforcement team, said it would inform the Police about the bat roost, and told the agent to stop work, twice (section 2.3). The work continued into late 2020 (Annex B, B2).
6.5	The works “were essential repairs/maintenance that did not require planning permission. The Council confirmed this to the Applicants prior to the works being undertaken.”	**No such confirmation has been produced in five applications.** The Council’s position at the time was the opposite: in June 2019 it recorded a breach of planning control, told the agent to have the work stopped, and, when 19/00289/FUL was withdrawn, reminded the agent that all work on the barns should cease (section 2.3). In 2023 the Council found the works were carried out “without the benefit of planning permission” and went “beyond simple repair and maintenance” (Reason 1, reproduced at page 8 of the Statement). If the applicants hold a written confirmation, they should produce it.
6.5	The applicants were “sympathetic to the barns, using reclaimed materials”; 85% of trusses, 80% of rafters, 80% of tiles, 90% of bricks and 90% of walls remain original.	**Contradicted by photographs of the works.** Barn 1 had no roof before the works, and its walls were pulled down with a loader (Annex A, A1; Annex B, B1). It was rebuilt with new roof timbers, wall plate and cladding (C2). Pallets of new perforated wire-cut bricks, stacks of new softwood and crates of roof tiles from a Chinese supplier were delivered to the site (Annex C). If 80% of the tiles were original, it is hard to see why roof tiles were imported. No survey or schedule supports these percentages, and the applicants’ Structural Survey itself refers to the “comprehensive reinstatement” of Barn 2’s trusses (section 3).
6.5	No enforcement action has been taken.	The absence of enforcement is not permission. The Council recorded a breach and told the agent to stop; the works may now be immune from enforcement, but immunity does not grant permission for homes or turn a rebuilt structure into a building capable of conversion (section 3). National policy now gives substantial weight to intentional unauthorised development (NPPF Policy DM8(2); section 3.4).
6.5	The works “were not undertaken in view of a future planning application” but “to ensure the barns could remain in their present agricultural use”.	**Contradicted by the record and by the Statement itself.** When the works began in May 2019, the applicants’ application to convert the barns to houses (19/00289/FUL) was before the Council. Contractors told us a new roof was needed because otherwise “the additional square footage sought may be rejected”, and that the planning officers “would not pass it fit for conversion” (section 2.3). The residential layout had already been drawn (Annex D). In September 2019 the architect told us a “virtually identical” application would follow (section 2.3). The Statement elsewhere says the barns are no longer in use and are redundant (2.2, 6.6(a), 6.9). The Council found the approach “disingenuous and an attempt to circumnavigate Policy LPP40” (paragraph 10.3.11).

Para.	The Planning Statement says	Our response
6.5	The works, with those proposed, do not amount to a “complete rebuild”, which “would involve taking the barns down and building them again from scratch”.	That is not the test. Works so extensive that they amount in practice to rebuilding are not a conversion (Hibbitt v Secretary of State [2016] EWHC 2853 (Admin)). The Council has already found that the 2019–20 works produced “an enlarged and rebuilt building purposefully designed for residential use”, so that the scheme “would not qualify for consideration as a ‘conversion’” (Reason 1). The application proposes 24 months of further work, including underpinning, roofs and an extension (section 5).
6.6(a)	Unlike earlier applications, this one is accompanied by a Marketing Report; the barns were marketed by Cheffins from February 2024 to March 2025 at “Price On Application”.	Although the Statement relies on it, the Cheffins Marketing Report is still not on the planning portal as at 13 October 2026, so neither the public nor the Council can test its claims. If it is added, the public should be reconsulted (section 6). The Statement says the marketing ended in March 2025 and the boards were taken down in October 2025. That is wrong: the Cheffins boards are still up today and are clearly visible, as anyone local would know. If the Statement cannot describe the marketing boards correctly, its account of the marketing exercise cannot be taken on trust. The Statement says the property was offered at “Price On Application”, yet that enquirers were “driven by the attractive price”; both cannot be right. We understand it was marketed at £400,000, a price reflecting residential hope value, with particulars disclosing a covenant against residential use (section 6). Policy LPP 40’s supporting text allows the Council to have marketing independently verified at the applicant’s expense, and we ask that it does so.
6.6(a)	Of fourteen enquiries, two were for the freehold and “the remaining enquiries were just interested in letting the space”; no offers were received.	**This is evidence of demand for business use, not its absence.** Twelve of fourteen enquirers wanted to rent the barns. Policy LPP 40 asks whether the buildings are suitable for business use, not whether a buyer could be found at a residential price. The main enquirer, a national landscape company, pursued the site as far as pre-application discussions; other local enquirers were told it was off the market once the twelve months had passed; the Neighbourhood Plan consultation found a shortage of workshop and small business space; and the local shoot would return (section 6).
6.6(a)	The barns are not suitable for business use because of “the restriction on any uses outside of agricultural use” and because “investment in the barns would be required prior to occupation”.	**Contradicts paragraph 6.4**, which says the barns are in “very good condition structurally”. If investment is needed before a business could occupy them, the applicants cannot also claim they need only minor works to become houses. There is no planning restriction confining the barns to agricultural use: Local Plan Policy LPP 7 supports small-scale business conversions of rural buildings, and officers found that a remote location “should not be a reason to rule out any commercial or community possibilities” (paragraph 10.3.14).

Para.	The Planning Statement says	Our response
6.6(a)	The barns “have not been in agricultural use for some time” and are unsuitable for modern agriculture.	**Contradicts paragraph 6.5** (works to keep the barns “in their present agricultural use”), paragraph 3.8 (“primarily agricultural” storage) and the application form (existing use: agriculture). Criterion (a) of Policy LPP 40 concerns business use, not agricultural use. Nor is it true that there is no local need for agricultural buildings here; the opposite is the case. Clees Hall Estate, whose fields “virtually surround the proposed development”, has objected to this application. It says those fields will become more dedicated to livestock, and that it expects in due course to build agricultural buildings to house livestock over winter and to store farming supplies, which will probably need to be sited “close to the unmade road and therefore the proposed development”. It describes these buildings as important to the operational efficiency of the farm. The barns at Ferriers Farm were themselves part of an agricultural holding until they were separated from its land. If the applicants genuinely see no agricultural use for them, they could offer them to the farm that works the surrounding fields, which has said it will need buildings in this location.
6.6(b)	Ecology and heritage reports show compliance; the Council confirmed the barns are not curtilage listed; the Historic Buildings Consultant raised no objection to 21/01966/FUL and “none of the reasons for refusal related to heritage matters”; “none of the changes” would raise conservation concerns.	**Contradicted by the Statement’s own pages 9 and 10**, which reproduce the two Class Q refusals: one cites harm to “the setting of the nearby Listed Buildings”, the other says the scheme would “materially alter and erode the historic character and appearance of the setting of the nearby Listed Buildings” (3.6, 3.7). The Consultant’s no-objection in 2021 depended on the removal of three skylights on Barn 1’s south-east elevation, which this scheme puts back; the scheme also adds 1.8 m brick courtyard walls (section 7). The Heritage Statement dates from 2021 (section 2.2). Bats are confirmed in Barn 2, and the Court Barn, a known bat habitat beside Barn 1, has not been surveyed (section 11). On curtilage, we accept the barns were in separate ownership when Ferriers was listed, but ownership is only one factor, and setting does not depend on curtilage (section 7).
6.6(d)	The windows on the south-east side of Barn 1 will be obscure-glazed and fixed shut, so there will be no direct overlooking of Ferriers.	This includes the proposed kitchen sink window, which would look directly into the garden of Ferriers (Annex E, E2). A kitchen window that can never be opened is unlikely to stay that way, and the condition would be hard to enforce. Obscure glazing still spills light at night beside the Court Barn, which houses bats, and the need to black out an elevation shows that the layout is wrong (section 10).
6.6(d)	The front courtyards will be screened with planting; the main gardens will be at the rear and “will not in any way be overlooked”.	Planting takes years to establish and can be removed. The rear of Barn 1 is about 5 metres from Ferriers’ boundary and faces directly towards the southern boundary of the aggregate recycling business, whose crusher stands on that boundary, and the rear of Barn 3 is immediately adjacent to the public footpath and bridleway (4.2 and 4.7 above). The Council found that habitable rooms “would be highly visible to any by-passer”, including farm machinery using the access track (23/00834/COUPA; section 10).

Para.	The Planning Statement says	Our response
6.6(d)	The three properties are “well away from the road which serves the Ferriers Pit site”, noise is acceptable, there are other homes on Ferriers Lane, and the Council’s Environmental Health Officer did not object.	**Ferriers Lane is that road, and it is the only access to the site** (2.4 of the Statement). The noise assessments were a “snapshot in time” taken when the pit was not operating at full capacity; its permission allows 250 HGV movements a week, and the Council has since said future occupiers “should be pre-warned about the permitted increase of operation” (section 10). Reason 2 was a planning judgment about the HGV traffic being “not conducive to a normal residential environment”, not a noise measurement. We understand that noise assessments of the pit have found noise at Ferriers to be excessive, and we have asked the Council to obtain them (section 10).
6.6(d)	“Ferriers Pit is some 250m or so from the site.”	Barn 1 is about 100 metres from the pit boundary, and the crusher stands on the boundary nearest the barns (section 10). The applicants’ own submission of a Waste Infrastructure Impact Assessment (1.1) implies that they know the site lies within the 250-metre Waste Consultation Area.
6.6(d)	Each dwelling will have a usable, private garden exceeding the 100 m² minimum in the Design Guide.	The plans show a single shared space for all three houses, with no boundaries between them and no private garden for any of them (section 10). Officers found that without boundaries there would be “more domestic sprawl”, yet that the walls normally needed “would result in further adverse visual impact in this instance” (paragraph 11.2.14).
6.6(e)	The proposals “have been amended significantly”: windows reduced, brise soleil added, Crittall-style frames; the Council “must accept that there will be a degree of domestication”.	The plans are substantially the same as in 2019 and 2021 (Annex D), the skylights the Council required removed have been put back, and the brise soleil is a further domestic feature foreign to a farm building. Nor would it reduce light pollution. Brise soleil is designed to shade glazing from high summer sun, not to contain interior light at night. Research on horizontal louvres and overhangs of this kind found that, although they can reduce light trespass, they can increase light reflected upwards and so worsen sky glow (Du, Zhang and King, “An investigation into the risk of night light pollution in a glazed office building: the effect of shading solutions”, Building and Environment, vol. 145, 2018). In a dark rural setting within the Stour Valley Project Area, where the Council has already found that domestic light spill would harm tranquillity (23/01976/COUPA), the brise soleil offers no reliable mitigation and may make matters worse. Policy LPP 40(e) requires no unacceptable impact on the character of the site and the countryside. The argument that some domestication is inevitable would make that criterion meaningless; the Council has repeatedly found this scheme’s domestication unacceptable, and that its light spill “could not be adequately mitigated by landscaping and boundary treatment” (23/00834/COUPA; section 8).
6.6(e)	The application is supported by a “Landscape & Visual Impact Assessment”.	It is not. The document listed at 1.1 is a Landscape Appraisal from 2021 with a short update letter of 13 April 2026, which predates the August 2026 NPPF and the examination of the Neighbourhood Plan (section 8).

Para.	The Planning Statement says	Our response
6.8	“It is accepted that the site is in an isolated location, outside a defined settlement.”	**We agree, and this concession is important.** It means that, under NPPF Policy S5(3), the scheme can be approved only if it meets Policy HO11 (section 4). It also contradicts the Statement’s claims that the site is sustainable and well connected (6.13, 6.15, 7.6) and its reliance on Bures Hamlet’s status as a second-tier settlement (5.8).
6.9	Policy HO11 is met because the buildings are redundant and “soft landscaping and general tidying up of the site” would enhance their setting; the Council has “not previously questioned the redundancy of the buildings”.	The applicants cannot claim the barns were kept in agricultural use (6.5) and also rely on their redundancy. Tidying a site the applicants have left with an abandoned shipping container, a portable toilet, rubble and netting since 2019 is not enhancement; Policy LPP 40’s supporting text says deliberate mismanagement will not count as a benefit. The Council has already found that the scheme would harm, not enhance, the setting (section 4).
6.10	Housing land supply is “marginal” (5.32 years) and the scheme would make a “small but meaningful contribution”.	The Council can demonstrate a five-year supply. In any case, supply is relevant only under Policy S5(1)(j), which requires development to be physically well-related to an existing settlement, and the Statement accepts the site is isolated (6.8). Three large market homes would add almost nothing to supply and nothing to evidenced local need (section 4).
6.13	The site is a 13-minute walk to Bures station and “the majority of the walk to the town is on a footway”.	**Wrong.** There is no footway on Ferriers Lane, the track or Lamarsh Hill; the lane is unmade and unlit, used by HGVs, and emerges at a blind bend onto a road with no pavement (section 9). Bures is a village, as the Statement itself says at 2.1 and as the Local Plan treats it (5.8), not “the town”. No one who knew Bures would call it a town. Like the description of Bures Pit as disused (2.5) and the claim that the Cheffins boards have come down (6.6(a)), this shows that the applicants’ consultants do not know the site or the local community. The route is no real alternative to the car for children, older or disabled people, or anyone after dark.
6.14–6.16	Policy LPP 40 contains no sustainability test, the Council was “incorrect” to refer to sustainability, and a Highways Technical Note shows traffic would be no greater than the historic agricultural use.	The development plan must be read as a whole. Section 1 Policies SP3 and SP7 direct development to settlements and require places that prioritise walking and cycling, and Policy LPP 1 confines development outside development boundaries to uses appropriate to the countryside (sections 3 and 9). National policy outside settlements expressly weighs “promoting sustainable patterns of movement” (NPPF Policy S5(4)). The Highways Technical Note is not among the documents listed at 1.1. Comparing three households’ daily car journeys with an agricultural use that, on the Statement’s own account, ceased “some time” ago (6.6(a)) is not a like-for-like comparison.

Para.	The Planning Statement says	Our response
6.18–6.22, 7.7	The 2015 housing evidence is out of date; the 2022 Housing Needs Assessment allows flexibility; the barns' size dictates the mix; the homes would suit "upsizers".	The 2022 Housing Needs Assessment finds that larger homes already make up over 72% of the parish stock and prioritises one to three-bedroom homes; emerging Policy BP14 requires at least 90% of market homes to have three bedrooms or fewer. The Statement accepts the scheme does not comply (6.21, 7.7). The barns' size is not a fixed constraint: the scheme enlarges Barn 3 with a new principal bedroom wing (4.8). The suggestion that "upsizers" would free smaller homes elsewhere is speculation, not evidence; national policy gives weight to homes that meet evidenced needs (NPPF Policy HO7; section 4).
6.23	There are no technical objections: lighting can be conditioned; flood risk is low; ecology will ensure "no net loss in biodiversity"; noise is acceptable; no contamination remediation is needed.	**Ecology:** "no net loss" is not the test. Statutory biodiversity net gain requires a 10% gain, as does Neighbourhood Plan Policy BP4, which the Statement itself cites (5.32). **Lighting:** the Council has found light spill here "could not be adequately mitigated" (23/00834/COUPA). **Drainage:** no infiltration tests, drainage strategy or flood risk assessment has been submitted for a wet clay site beside two brooks (section 11), and the farmer of the surrounding fields reports that they are low-lying and flood in heavy rain (Clees Hall Estate objection; 2.9 above). **Noise:** see 6.6(d) above. **Contamination:** asbestos roofing was removed from Barn 2 in 2019 without a survey and broken asbestos roofing was later seen in a bonfire beside the public footpath (section 2.3); the Council should check that the Phase I and II report took this into account.
7.6	The site is in a sustainable location where walking and cycling are realistic, and the proposals "will enhance the vitality of this rural community, allowing Bures to grow".	**Contradicts paragraph 6.8**, where the Statement accepts that the site is isolated. Three large homes in open countryside, reached by an unlit private lane with no footway, will not enhance the vitality of Bures.
7.11	The buildings need to be brought back into beneficial use, and the unsuccessful marketing points to residential use.	The marketing found twelve parties wanting to rent the space (6.6(a)). Business or storage use would need far less intervention than three houses and would keep the farmstead's working character. The Statement's own case is that the barns are in very good condition (6.4); if so, they are ready for business use now.

3. Conclusion

The Planning Statement repeats the account of the 2019–20 works that the Council's officers examined and rejected in 2023, and it contradicts itself on the barns' condition, their use, the neighbouring pit, the neighbouring homes, farm traffic, the marketing and the heritage history. Its errors about Bures Pit, about Bures itself and about the Cheffins boards also show that it was written without knowledge of the site or the community. We ask the officer to give its account of the site little weight unless it is independently verified, and to refuse the application for the reasons set out in our objection.

Yours faithfully,

Hugh Petre