



DESIGN AND ACCESS STATEMENT

RETROSPECTIVE CHANGE OF USE FROM AGRICULTURAL TO DOMESTIC GARDEN SPACE

AT

37 Northorpe Road, Northorpe, Donington,
Spalding, PE11 4XU

FOR

MS A KEEN

March 2025

1.0 INTRODUCTION

This Design and Access Statement supports the retrospective change of use of the land to the rear of the existing dwelling at 37 Northorpe Road to form residential curtilage to serve that dwelling. The land in question extends the curtilage of number 37 no further rearwards than the neighbouring dwellings in the surrounding area. The land is surrounded by and land locked by residential curtilage of neighbouring dwellings.

The following section of this statement provides details of the site and surrounding area, proposed development and relevant planning policy.

This Design and Access Statement should be read in conjunction with the planning application, supporting submitted drawings and documents.

The garden which is part of this application is laid to grass, has several small trees, an out building built over 30 years ago and another outbuilding built approx. 6 years ago.

The last know usage as agricultural was in 2010, as evidenced by the glass houses on site in historic areal images. The site was then cleared and used by the then occupants as garden space for the dwelling to the south, known as no.37 Northorpe Road.

There is currently a small hedge that divides the immediate back garden of Northorpe Road with the retrospective garden. It is clear in the photographs, that the existing garden space is not sufficient for a house of this size.

2.0 CONTEXT & PROPOSAL

2.1 SITE CONTEXT

The application site is located in the hamlet of Northorpe. The site sits directly behind 37 Northorpe Road which is located to the northern side of the highway. The site is set in the countryside approximately 0.5 miles from the village of Donnington. The site is located approximately 0.1 mile from the A152 road, and is accessed via rural roads.

The authorised use of the site is agricultural. The boundaries to the site consist of dwellings to the south, east, north and west with a small agricultural barn to the south that dates back to the 1800's.

The site features areas of grass and hardstanding. The boundaries consist of hedging to the south, and west with fencing to the west, east and north.

The area is largely rural in character, however there is ribbon development within the vicinity of the site along Northorpe Road. The garden sizes range with most dwellings having significant garden space.

The site is located within Flood Zone 1 of the Environment Agency Flood Maps for Planning.



Figure 1: Aerial photograph

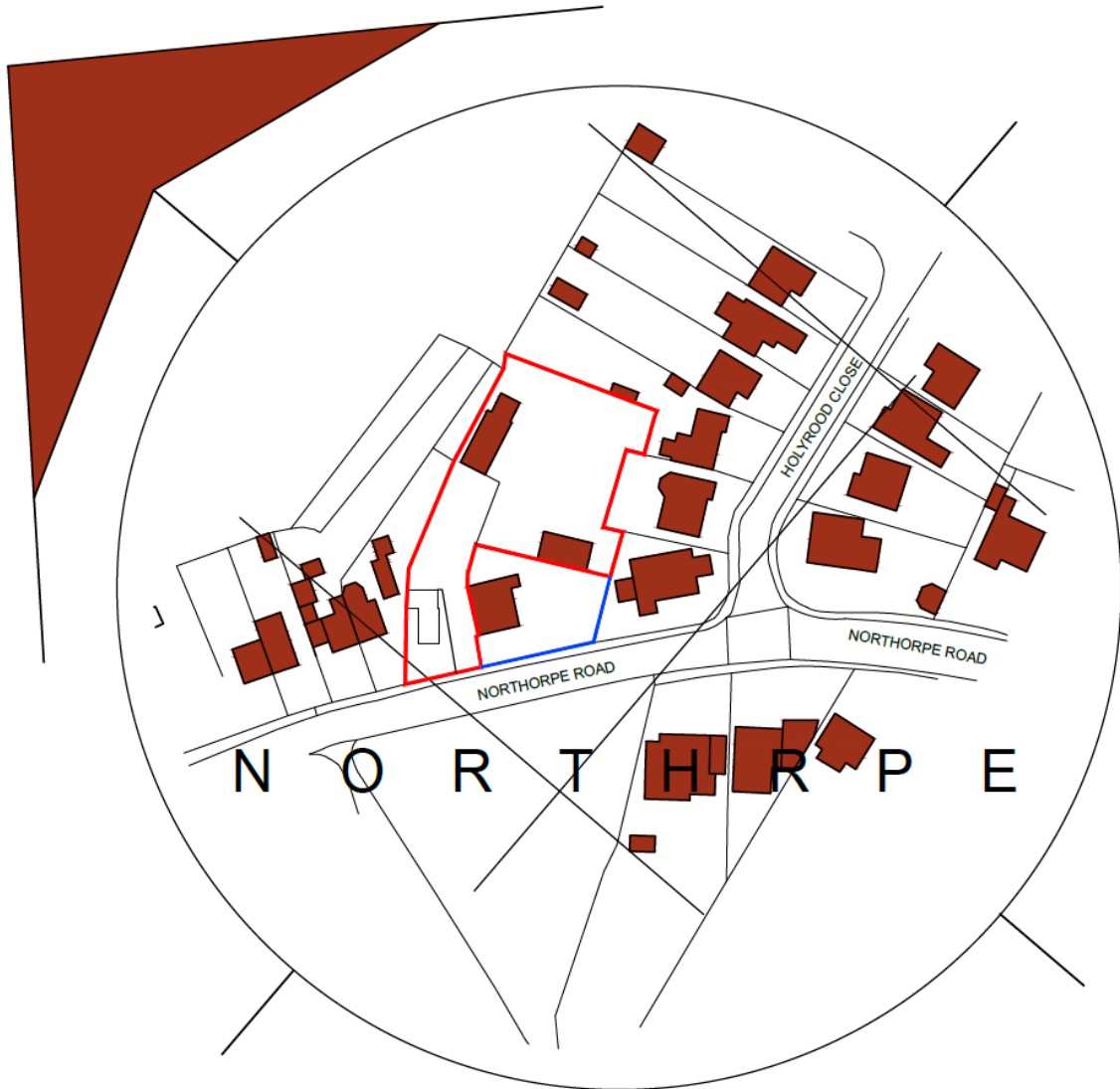


Figure 2: Location Plan NTS

2.2 HISTORY

Planning permission was refused by South Holland District Council on 8th August 2024 under reference number H04-0284-24. The application was recommended for refusal by Planning Officers and later appealed.

Appeal was dismissed, but the following comments were made by the appeal officer in relation to the change of use:

“The development also includes the change of use of the land to the rear of 37 Northorpe Road to form domestic garden. It is acknowledged between the parties that this change occurred some time

ago and the appearance of the land as observed during my site visit was domestic in nature with no notable agricultural characteristics.

Nevertheless, the loss of this area of agricultural land is not significant given its size and positioning in relation to neighbouring residential gardens. The site is almost entirely land locked by residential gardens which reduces its function as an agricultural parcel of land. Policies 2 and 3 of the SELLP require development proposals, amongst other matters, to consider the relationship to existing development and land uses as well as the landscape character of the location. I do not consider that the change of use to domestic garden has caused material harm to the character and appearance of the area. The boundary of the site aligns neatly with the residential boundaries to the north of Holyrood Close, creating a defining line with the neighbouring agricultural land. It therefore forms a logical limit to the domestic garden.

In this matter, I find no direct conflict with Policies 2 or 3 of the SELLP through this part of the proposal.”

2.3 PRINCIPLE

It is acknowledged that justification is required for new development in such locations however as this is for an extension to garden space, it is not new development per se. There is nothing within the Local Plan which precludes extensions to existing uses, therefore, the principle of the extended curtilage is acceptable.

That said, the appeal inspector noted “In this matter, I find no direct conflict with Policies 2 or 3 of the SELLP through this part of the proposal” in relation to the garden change of use.

Image 4 below shows the site in the context of its surroundings. It is clear that the site does not extend any further into the countryside than the curtilage of the neighbouring dwelling to the north, east, west and south, as outlined by the appeal officer.

The size of the existing garden is not suitable for the size of the dwelling in this location. Whilst there are differing garden sizes along Norpthorpe Road, it has been stated by the Local Authority that the larger, detached properties, as is 37 Norphtorpe Road, mostly have larger gardens.

It is clear on all maps provided, that the proposed garden space is land locked by neighbouring domestic garden space. Not only is the proposed garden space too small to utilise for modern farming and financially unviable, but its location is also unsuitable.

Below are historic images that show how the site has been amended over many years, only ever comprising of one small glass house. The single access point and consistent boundary, highlights it was most likely one singular plot of land historically.



Figure 3 – Aerial photograph dated 1999 (Google Earth)



Figure 4 – Aerial photograph dated 2005 (Google Earth)



Figure 5 – Aerial photograph dated 2010 (Google Earth)



Figure 6 – Aerial photograph dated 2015 (Google Earth)



Figure 7 – Aerial photograph dated 2018 (Google Earth)



Figure 8 – Aerial photograph dated 2020 (Google Earth)

2.4 FLOOD RISK

The site sits within flood zone 1.



Figure 9: Extract from Environment Agency Flood Maps for Planning

3.0 DESIGN

3.1 USE & AMOUNT

The site has been owned by the appellant for 2 years, in that time, no changes have taken place to the land of either the current agricultural land or the lawful garden space at 37 Northorpe Road. This application seeks to formalise the land which can no longer be utilised as farmland.

Identifying that the site has not been actively farmed since 1999, is to highlight that the land is now unsuitable for modern farming. The sheer scale would not allow the site to be financially viable in this manner. The application of change of use, clearly formalises the site which can no longer be used under the use class it was historically used for.

Modern Farming techniques, and the cost of glass houses and return on square foot farming, means this small plot of land is not financially viable and has not been for many years. Not only is it not financially viable, the impact on the surrounding dwellings of this small piece of land being farmed for the first time in 26 years would be significant.

3.2 LAYOUT, SCALE AND APPEARANCE

The scale of the garden space, in proportion to that of those along Northorpe Road, is comparable. This area is known for large gardens in historic dwellings. It is only the newer properties along Holyrood Close that have smaller garden spaces. Please see below image which highlights the land is landlocked by domestic gardens and highlights the scale of surrounding gardens in relation to the application site.



Figure 10: showing gardens immediately surrounding the land



Figure 11: showing surrounding gardens and that the proposed site sits comfortably within these in regards to the size and extent.

3.3 LANDSCAPING

The site is currently laid to grass with some areas of hardstanding. There are small trees around the perimeter and several through the site. The trees are small residential fruit trees.

As seen in figure 4, the proposals follow the form of existing garden curtilages of the surrounding dwellings.

4.0 ACCESS

The site is currently accessed via the entrance to the main dwelling on Northorpe Road. This is an existing site entrance and parking area for the dwelling since its construction.

5.0 CONCLUSION

This Design and Access Statement supports the full planning application retrospective change of use from agriculture land to domestic garden space to serve 37 Northorpe Road.

It is clear on all maps provided, that the proposed garden space is land locked by neighbouring domestic garden space. Not only is the proposed garden space too small to utilise for modern farming and financially unviable, but its location is also unsuitable.

Identifying that the site has not been actively farmed, with 1 small glass house, since 1999, is to highlight that the land is now unsuitable for modern farming. The sheer scale would not allow the site to be financially viable in this manner. The application of change of use, clearly formalises the site which can no longer be used under the use class it was historically used for. Using it in an agricultural manor would cause huge disruption to the local residents and surrounding dwellings after over 26years of it not being under this use.

The appeal officer found no conflict in relation to the change of use of land to form domestic garden.