DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H06-0132-22**	**Applicant:**	**Mr A Hay**
Proposal:	Change of Use of Barn into 2 Dwellings		
Location:	Marsh Lane Gedney Drove End Spalding		
Terminal Date:	5th April 2022		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

National Guidance

National Planning Policy Framework 2021

T & CP (GPD) Order 2015

Permitted Development Rights
Class Q

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	1	0
WARD MEMBER	0	0	0	0
PLANNING LIAISON OFFICER - FLOOD RISK ASSESSMENT	0	0	0	1
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	1
RESIDENTS	3	0	0	0

CASE OFFICER ASSESSMENT

Proposal

The application is for a change of use of an existing agricultural building into two dwellings under Class Q of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015.

Site Description

The building, plus associated hardstanding, is located on the north-western side of Marsh Lane. The lower half is metal clad and the upper half is asbestos/fibre cement.

Marshes associated with The Wash (Ramsar wetland site and designated SSSI) are situated approximately 670 metres to the north-east beyond the Sea Bank. The nearest residential properties are situated some 230 metres to the south-west.

Recent Planning History

None.

Consultation Responses

Gedney Parish Council

No observations.

LCC Highways/SUDs

Does not wish to restrict the grant of permission.

SHIDB

If (following testing) a strategy wholly reliant on infiltration is not viable and a surface water discharge is proposed to a watercourse, then the proposed development will require land drainage consent in line with the Board's byelaws (specifically byelaw 3).

Environmental Protection

Request contaminated land condition.

Environment Agency

Request condition.

Public

Objections received (summarised):
- Outside village settlement limit and is the only habitable building sited on the sea side of K47;
- Village has no facilities to accommodate additional housing;
- Out of character;
- Located on agricultural land;
- Noise/light pollution;
- Marsh Lane is a single track road with poor visibility. Unsuitable for additional development. Already used by farm machinery, dog walkers, bird watchers, wildfowlers, hikers and persons accessing fire range. Primary Emergency Vehicle Access to ranges;
- Flood risk;
- Not a conversion. Very little of original barn will remain;
- Adjacent SSSI. Affect wildlife;

Planning Considerations

Class Q of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 indicates that the following is permitted development:
a) a change of use of a building and any land within its curtilage from a use as an agricultural building to use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order; and
b) building operations reasonably necessary to convert the building referred to in paragraph a) to a use falling within Class C3 (dwellinghouses) of that schedule.

Paragraph Q.1 sets out a number of conditions where development is not permitted by Class Q. This includes in the case of a larger dwellinghouse of more than 100 square metres the cumulative floor space of the existing building or buildings changing use to a larger dwellinghouse or dwellinghouses under Class Q not exceeding 465 square metres. This includes first floors and any mezzanine levels.

In this case each dwelling has an approximate internal floor area (ground and first floor) of 370.1sq metres (total approximately 741square metres). The proposal therefore exceeds the threshold above and is not therefore permitted under Class Q.

Conclusion

The proposal exceeds the cumulative floor space threshold and is not therefore permitted development under Class Q.