

DECISION DELEGATED TO HEAD OF PLANNING
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Application No:	H06-0504-22	Applicant:	Mr A Hay
Proposal:	Change of use of barn to residential dwelling - re-submission of H06-0132-22		
Location:	Marsh Lane Gedney Drove End Spalding		
Terminal Date:	8th July 2022		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

National Guidance

National Planning Policy Framework 2021

Planning Practice Guidance

T & CP (GPD) Order 2015 - 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
RESIDENTS	2	0	0	0

CASE OFFICER ASSESSMENT

Proposal

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

It is a re-submission of H06-0132-22 which was not considered to be permitted development under Class Q.

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

H06-0132-22 - PAA - Change of use of barn to residential dwelling - re-submission of H06-0132-22 - Refused 1 April 2022.

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

Previously requested contaminated land condition.

Environment Agency

Request condition.

Public

Objections received (summarised):

- Not a conversion as it will need to be taken down and re-built. Therefore a new structure
- Outside village settlement limit and sea bank K47
- Village has no amenities to cater for additional housing
- Should remain agricultural land
- On a narrow road with no passing points, which is constantly used by tractors and agricultural vehicles, as well as dog walkers and ramblers who want to enjoy the countryside
- Unsuitable for construction traffic
- Several public footpaths which cross this lane and construction traffic would make it a danger for anyone who uses them
- Open door to any development in rural area

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.

Class Q therefore implies that the agricultural use should cease. In this case, however, only the upper section (first floor) of the building would be used as a residential dwelling. The ground floor would retain an agricultural use (storage barn). The proposal is not therefore permitted development under Class Q.

Conclusion

The proposal does not constitute permitted development under Class Q.