

PLANNING SUPPORTING STATEMENT WF07/26

on behalf of Fletcher Salads

Full planning application for the conversion of an existing agricultural building into a single dwelling

**At Land off Cade Drove (formerly part of Broadgate Nurseries), Gedney
Broadgate, Spalding, Lincolnshire**

Class Q Fallback Application — Resubmission

Prepared for South Holland District Council
July 2026

1. INTRODUCTION

1.1 This Planning Supporting Design & Access Statement has been prepared to support a full planning application on behalf of Fletcher Salads for the conversion of an existing agricultural building into a single dwelling at Land off Cade Drove (formerly Broadgate Nurseries), Gedney Broadgate, Spalding.

1.2 This application constitutes a revised resubmission following the refusal of application H06-0289-24, which proposed two dwellings on a materially expanded site. The current proposal has been fundamentally redesigned to directly address each ground of refusal. It represents a materially reduced scheme that delivers a single dwelling within the established building envelope, thereby constituting genuine betterment over the extant Class Q fallback permission (H06-0868-23).

1.3 This statement should be read in conjunction with the following application documents: Planning Application Form; Site Location Plan; Existing, Approved and Proposed Site Plans; Existing, Approved and Proposed Elevations, Sections and Floor Plans, Proposed Roof Plan, Proposed Block Plan, Updated Flood Risk Assessment, Planning Supporting Statement for Ecology & Biodiversity Net Gain, The Small Sites Metric v 1.2.3.2 & the [REDACTED]

2. SITE AND SURROUNDINGS

2.1 The application site is located at Land off Cade Drove, (formerly Broadgate Nurseries) in Gedney Broadgate, approximately 2.1km to the south-west of Long Sutton. The building subject to this application is situated on the eastern side in the southern half of a larger site formerly comprising traditional brick-built agricultural buildings, timber-framed agricultural buildings, and a range of glasshouses.

2.2 The existing agricultural building has external dimensions of 27.43 metres in length, 12.00 metres in width, 4.80 metres to roof eaves, and a roof pitch of 15 degrees. It has partly brick and partly corrugated steel sheeting walls with a corrugated sheet fibre roof. The building has been used for the storage of agricultural machinery for the applicant's agricultural business.

2.3 The site is immediately bordered by open arable fields to the north, east, and south. To the west lie the other buildings now in separate ownership & with the benefit of planning permission H06-0286-23, with Bullocks Short Gate beyond. The site is accessed from Cade Drove to the north along an existing access track.

2.4 The site is situated within Flood Zone 3 as defined by the Environment Agency data maps and within an area designated as low hazard by the South East Lincolnshire Strategic Flood Risk Assessment, with depths less than 0.75m.

Planning History

2.5 The site benefits from the following relevant planning history:

Reference	Description	Decision
-----------	-------------	----------

H06-0286-23	Conversion of agricultural building into residential dwelling including removal of cold store and static caravans	Approved 23-05-23
H06-0868-23	Change of use of agricultural building into 2 dwellings with associated works (Class Q Prior Approval)	Approved 27-11-23
H06-0289-24	Demolition of agricultural building and erection of two dwellings (Full Planning – Class Q Fallback)	Refused
H06-0944-24	Change of use of agricultural land to gardens, driveways and vehicular parking for approved application H06-0868-23	Approved 7-01-25

2.6 The Class Q prior approval (H06-0868-23) is extant and represents a realistic and implementable fallback position. The officer's report for the refused application H06-0289-24 expressly acknowledged that the fallback is "real (and probable)." This concession satisfies the second limb of the test established in *R v Secretary of State for the Environment and Havering BC, ex parte PF Ahern (London) Ltd* [1998] Env LR 189 and is of significant material weight.

3. ANALYSIS OF PREVIOUS REFUSAL

3.1 Application H06-0289-24 was refused on grounds relating to: (i) increased density and footprint in the open countryside; (ii) extension beyond the established Class Q red line boundary; (iii) failure to demonstrate betterment over the fallback; (iv) harm to the intrinsic character of the countryside; and (v) failure to pass the sequential test for flood risk. This section analyses each ground and demonstrates how the current proposal directly addresses it.

Ground 1: Increased Density and Footprint

3.2 The officer concluded that the refused scheme resulted in an increase of built form across the site, with two architecturally distinct detached dwellings increasing both density and footprint.

3.3 Response: The current proposal reduces density from two dwellings to one. The single dwelling sits entirely within the existing building envelope and comprises the retention of the existing structural portal frame and some fabric, ie slab, foundations, some brick walling, and the selective removal of some non-structural elements.. There is no increase in footprint, no increase in built form, and a material reduction in residential intensity — one dwelling where two are already permitted.

Ground 2: Extension Beyond Class Q Red Line

3.4 The officer noted that the refused scheme sought to extract a residential planning unit and erect it outside the approved red line boundary.

3.5 Response: The current proposal's red line boundary matches or is contained within the established building unit of the Class Q approval. No element of the proposed dwelling or its curtilage extends beyond the established boundary.

Ground 3: Failure to Demonstrate Betterment

3.6 The officer determined that the refused scheme did not represent betterment, characterising the design as a “simulacrum of a loose courtyard” based on generic assumptions rather than site-specific context.

3.7 Response: The current proposal delivers clear betterment through: (a) reduction from two dwellings to one; (b) retention of barn-like massing and agricultural character; (c) no expansion of footprint or curtilage; (d) a design that takes its cues directly from the existing building; and (e) a design that enhances the viewing aspects of the ‘big sky’ typical of the local landscape with a nod to the previous use of glasshouses on the greater site. The design is site-specific and directly responsive to the officer's critique.

Ground 4: Harm to Countryside Character

3.8 The officer found irreversible harm to the open countryside through the extension of residential form.

3.9 Response: The current proposal retains the existing building envelope. The single dwelling maintains barn-like, agricultural/industrial character. The external dimensions are unchanged. The visual impact is no greater than — and arguably less than — the Class Q conversion of the same building into two dwellings, which the Council has already approved.

Ground 5: Sequential Test (Flood Risk)

3.10 The officer required a sequential test for Plot 2, which fell outside the Class Q red line in Flood Zone 3.

3.11 Response: The current proposal is contained entirely within the existing building footprint. NPPF paragraph 176 with footnote 62 (December 2024) confirms that changes of use are exempt from both the sequential and exception tests. Even if the Council characterises this as new development, the sequential test is passed on the basis that the fallback already establishes residential use at this specific location. Full analysis is provided in Section 6.

4. THE PROPOSAL

4.1 The proposed development is for the conversion of the existing agricultural building, which benefits from Class Q consent, to a single dwelling.

Design Approach

4.2 The dwelling has been designed to retain the agricultural/industrial character and barn-like massing of the existing building. The external dimensions replicate those of the existing structure: 27.43m length, 12.00m width, 4.80m to eaves, with a 15-degree roof pitch. The dwelling is contained entirely within the established building envelope.

4.3 The design incorporates open-plan glazed elements at one gable end, creating a sun rooms/conservatory spaces that bring natural light into the dwelling and allows a ‘big sky’ vista

of the surrounding landscape, whilst also maintaining the simple rectangular form and barn proportions. The glazed end references the open character of traditional agricultural buildings and avoids suburban domestic features & acknowledges the previous use of the overall site as a glasshouse nursery.

4.4 The dwelling will retain all the structural portal frames and stanchions, the slab & some brick walling, the metal grain walling to be replaced, and construction materials sympathetic to the agricultural setting will be used: red brick to match the existing structure, with metal profile cladding and roofing to replace the existing asbestos cement cladding and roofing.. Fenestration will be wood & be set in reveal with proportions appropriate to the building's agricultural character.

Access, Layout and Curtilage

4.5 The existing access from Cade Drove along the established access track will be retained. Residential curtilage is tightly drawn to the immediate building envelope, consistent with the Class Q red line boundary.

Landscaping

4.6 Full planning permission H06-0944-24 was granted for the change of use of agricultural land to gardens, driveways and vehicular parking for the Class Q application H06-0868-23, in which the material considerations that existed in that instance also relate to this present application, the BNG condition being the responsibility of the landowner & the revocation of Permitted Development Rights for any building without Planning Permission having first been granted by the LPA being existing conditions. A separate Planning Support Statement incorporating an updated Ecological Appraisal & Biodiversity Net Gain metric is included with this Planning Application.

5. PLANNING POLICY CONTEXT

Development Plan

5.1 The development plan comprises the South East Lincolnshire Local Plan (SELLP), adopted March 2019. A statutory five-year review completed in July 2024 concluded there is no requirement to update the Plan. It carries full weight. Relevant policies: Policy 1 (Spatial Strategy); Policy 2 (Development Management); Policy 3 (Design of New Development); Policy 4 (Approach to Flood Risk); Policy 28 (The Natural Environment); Policy 30 (Pollution); Policy 36 (Vehicle and Cycle Parking).

5.2 The application site falls within the Countryside under Policy 1(D), as Gedney Broadgate is not listed within any tier of the settlement hierarchy. Policy 1(D) provides that development in the Countryside will be permitted that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area.

National Planning Policy Framework (December 2024)

5.3 The current NPPF is the December 2024 version (published 12 December 2024, with corrections 7 February 2025). All paragraph references in this statement are to this version. Key provisions include:

Paragraph 11: The presumption in favour of sustainable development. Applications should be approved without delay where they accord with the development plan.

Paragraphs 131–142 (Section 12): Achieving well-designed places. Paragraph 135 requires development to function well, be visually attractive, and be sympathetic to local character.

Paragraphs 173–179 (Section 14): Flood risk. The sequential test (paragraphs 173–174), exemptions (paragraphs 175–176), and the exception test (paragraphs 177–179). Paragraph 176 with footnote 62 exempts changes of use from the sequential and exception tests.

Paragraph 187(b) (Section 15): Planning decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside.

5.4 South Holland District Council can demonstrate a 5.5-year housing land supply (June 2025 assessment). The “tilted balance” under NPPF paragraph 11(d) does not apply. Development plan policies carry full weight.

6. PLANNING ASSESSMENT

Principle of Development: The Fallback Position

6.1 It is accepted that the application site is situated within the open countryside outside any defined settlement boundary. Under Policy 1(D) of the SELLP, new housing in such locations would not normally be considered appropriate. However, the existence of a realistic fallback position is a material consideration capable of outweighing this policy conflict.

The Legal Framework for Fallback

6.2 The leading authority is *Mansell v Tonbridge and Malling Borough Council* [2017] EWCA Civ 1314, in which the Court of Appeal (Lindblom LJ) established that a realistic fallback must be treated as a material consideration. The Court held that not to have regard to the fallback “would have been a failure to have regard to a material consideration, and thus an error of law.” Critically, the Court confirmed that the “real prospect” threshold is low: “a possibility will suffice” — no formal application or commitment is required.

6.3 In *Mansell*, no Class Q application had been made; the fallback was entirely hypothetical. Here, the applicant holds an extant prior approval (H06-0868-23), placing the fallback at the highest end of the weight spectrum.

6.4 The foundational three-limb test was established in *R v Secretary of State for the Environment and Havering BC, ex parte PF Ahern (London) Ltd* [1998] Env LR 189:

Limb 1 — Lawful ability: The Class Q prior approval establishes lawful ability to convert the building to two dwellings. Satisfied.

Limb 2 — Real prospect: The Council’s own officer’s report on H06-0289-24 accepted the fallback is “real (and probable).” Satisfied by the Council’s own concession.

Limb 3 — Comparison: A single dwelling within the same envelope is demonstrably less intensive than two dwellings. The comparison favours the current proposal on every material measure.

6.5 This analysis is reinforced by *Gambone v Secretary of State for Communities and Local Government* [2014] EWHC 952 (Admin), which confirmed that even where permitted development rights have not been exercised, they constitute a material consideration provided there is a greater than theoretical possibility of implementation.

Betterment Over Fallback

6.6 The betterment offered by this proposal is systematic and directly responsive to the grounds of refusal:

Consideration	Class Q Fallback	Current Proposal
Number of dwellings	2	1 — reduced density
Building footprint	Existing envelope	Existing envelope — no change
Red line boundary	Tight to building	Matches Class Q — no expansion
Building character	Converted agricultural	Converted structure retaining agricultural character
Residential intensity	Two semi-detached	Single dwelling — halved intensity
Overlooking	First-floor between units	No inter-dwelling overlooking
Vehicle movements	Two households	One household — reduced traffic
Landscaping	Minimal	Enhanced native planting and biodiversity net gain from H06-0868-23
Countryside impact	Acceptable (approved)	Equal or reduced

6.7 This comparison demonstrates that on every material consideration, the current proposal is equal to or better than the previous fallback application. Recent appeal decisions consistently support this approach. In a directly analogous case, Atlas Planning Group secured approval on appeal for a single dwelling replacing a two-dwelling Class Q consent, with the inspector awarding costs against the council for failing to apply well-established fallback case law. In Lincolnshire specifically, an application at Hardwick near Lincoln was approved at committee within eight weeks where a Class Q fallback was used to support a replacement new-build dwelling.

Character and Appearance

6.8 The officer's report on H06-0289-24 criticised the "loose courtyard" design as based on generic Lincolnshire countryside assumptions. The current proposal addresses this directly.

Rather than introducing new typologies, the dwelling retains the simple rectangular form, massing, and proportions of the existing building & represents the reuse of the agricultural building consistent with Policy 23 of SELLP without substantial rebuilding. The design is site-specific: it responds to what is already there, consistent with NPPF paragraph 135 and SELLP Policies 2 and 3.

6.9 The glazed gable end introduces a contemporary element increasingly characteristic of high-quality barn conversions. This element is contained within the existing building envelope and does not alter external dimensions. The visual impact on the open countryside is no greater than the approved Class Q conversion, in accordance with NPPF paragraph 187(b).

Flood Risk and Drainage

6.10 The site is within Flood Zone 3, categorised as low hazard. Two parallel arguments are advanced regarding the sequential test:

6.11 Primary argument: The proposal occupies the same building footprint as the existing agricultural building. NPPF paragraph 176 with footnote 62 (December 2024) explicitly exempts changes of use from both the sequential and exception tests. The Planning Practice Guidance (paragraph 014, Ref ID: 7-014-20220825) confirms: “changes of use are not normally subject to the Sequential or Exception tests.” As the dwelling occupies the identical footprint, and the extant Class Q already establishes residential use, this exemption applies.

6.12 Secondary argument: Even if the Council characterises this as new development rather than a change of use, the sequential test is passed. The extant Class Q permission already establishes the principle of residential use at this specific location within Flood Zone 3. There is no reasonable alternative site at lower flood risk that would deliver this specific development, because the development is fundamentally tied to this building and its fallback consent. The proposal represents flood risk betterment through single occupancy versus dual; raised finished floor levels at 3.2mAOD (300mm above external ground level); elevated electrical services; closed-cell insulation; and registration with the Environment Agency’s Floodline Warning Direct system.

6.13 A site-specific Flood Risk Assessment from H06-0286-23 by RM Associates has been updated and this application will incorporate these resilience measures. The proposal accords with SELLP Policy 4 and NPPF Section 14 (paragraphs 173–179).

Access and Highway Safety

6.14 The proposal utilises the identical access arrangement approved under the Class Q permission, where Lincolnshire County Council as Highway Authority raised no objection. The current proposal generates fewer vehicle movements (one household rather than two). The proposal accords with SELLP Policies 2, 3, and 36.

Residential Amenity

6.15 The nearest dwelling is the approved conversion H06-0286-23 approximately 70 metres to the west. The next closest properties are 165–175 metres distant, one of which, Olive Tree Barn, is a similar barn conversion. No adverse impacts arise. The single dwelling also improves amenity compared to the Class Q fallback, which would have created two semi-detached units with first-floor overlooking between gardens. The proposal accords with SELLP Policies 2, 3, and 30.

Heritage

6.16 The Grade II listed Pulvertoft Hall is approximately 230 metres to the north. The Conservation Officer has confirmed in both previous applications that the proposal would have no material impact on the significance or setting of this heritage asset.

Ecology and Contamination

6.17 SLR Consulting Ltd produced an Ecological Impact Assessment report for the previous fallback application H06-0289-24 which concluded that no ecological features were assessed as holding greater than local ecological importance. SLR also produced an EIS report for application H06-0944-24, change of use of agricultural land, which came to the same conclusion and at the same time a BNG Assessment which concluded there would be an on-site net gain of 28.59%, significantly over the minimum requirement. However for the Full Planning Application with regards to the single dwelling an updated Ecological Impact Statement & BNG SSM Assessment, which shows the BNG gain over the mandatory 10% & suggests how it can be secured, is included with this Application. Standard land contamination conditions are accepted, consistent with Environmental Protection's previous recommendations.

7. PLANNING BALANCE

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

7.2 It is accepted that the proposal conflicts with Policy 1(D) of the SELLP. South Holland District Council can demonstrate a 5.5-year housing land supply, and the tilted balance does not apply. The conflict with the development plan carries weight.

7.3 However, the extant Class Q fallback — acknowledged by the Council as “real (and probable)” — constitutes a material consideration of substantial weight. As Lindblom LJ held in *Mansell* [2017] EWCA Civ 1314, failure to have regard to a realistic fallback would be an error of law.

7.4 The proposal delivers clear betterment over the fallback on every material measure: reduced density (one dwelling, not two); no expansion of footprint or curtilage; retention of agricultural character; improved residential amenity; reduced traffic generation; and improved flood resilience. The harm identified in the refusal of H06-0289-24 — increased density, expanded red line, countryside extension, and failure of betterment — does not arise.

7.5 Recent appeal decisions, including the Atlas Planning costs award, confirm that councils who refuse applications in the face of well-established fallback case law risk costs. The material considerations in favour of approval clearly and decisively outweigh the conflict with Policy 1(D).

8. CONCLUSION

8.1 This application presents a fundamentally revised proposal designed from the ground up to address each reason for refusal identified in H06-0289-24.

8.2 The proposal seeks a single dwelling within the existing building envelope. It reduces residential density, maintains agricultural character, contains the development within the established Class Q red line, and delivers measurable betterment over the extant fallback.

8.3 The planning balance weighs decisively in favour of approval. The Council is respectfully invited to grant planning permission.