

SUPPORTING PLANNING STATEMENT

on behalf of Fletcher Salads

**Notification for Prior Approval for proposed change of use of an agricultural building to 2no.
dwellinghouses and associated operational development**

At Broadgate Nurseries, Gedney Broadgate, Spalding

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For and on behalf of Brown & Co.

Brown & Co is a leading provider of agency, professional and consultancy services across the whole range of rural, commercial, residential, and agricultural markets.

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Reference: AP043259

1. INTRODUCTION

1.1 This Planning Statement has been prepared by Brown & Co JHWalter to support a Notification for Prior Approval on behalf of Fletcher Salads for the proposed change of use of an agricultural building to 2 no. dwellinghouses including building operations reasonably necessary for the conversion at Broadgate Nurseries, Gedney Broadgate, Spalding.

1.2 The purpose of this statement is to present the development proposal, outline the relevant legislative framework and to address any pertinent planning issues. The statement is structured as follows:-

- **Section 1:** Introduction;
- **Section 2:** Describes the physical characteristics of the site and its surroundings;
- **Section 3:** Outlines the detail of the proposed development;
- **Section 4:** Outlines the legislative framework and how the proposal conforms to relevant criteria;
- **Section 5:** Provides a planning assessment of the key considerations set out in conditions Q.2(1)(a)-(g) of the relevant section of the GDPO.

- **Section 6:** Sets out in brief our overall conclusions of the proposal.

1.4 This statement should be read in conjunction with the following application documents submitted as part of this application:-

- Application Form
- AP043259-1-03B Existing Building
- AP043259-1-01B Location Plan
- AP043259-1-02 Existing Site Plan
- AP043259-1-04C Proposed Class Q
- AP043259-1-05 Proposed Site Plan
- AP043259 Structural Survey
- AP043259 Flood Risk Assessment

2. INTRODUCTION

Characteristics of Site & Surroundings

2.1 The agricultural building is currently in private ownership and located at Broadgate Nurseries in Gedney Broadgate, located approximately 2.1km to the south west of Long Sutton. The building is situated on the eastern side in the southern half of a larger site, consisting of a modern agricultural building together with a traditional brick-built and timber-framed buildings, three static caravans and a range of glasshouses. There is an extent planning permission (SKDC Planning Reference: H06-0286-23) for the conversion of the traditional brick-built building to residential use together with the removal of the modern cold store building and three static caravans. The rest of the site, including the timber-framed building; glass houses; the applicant's land; and the building, subject to this application, have only ever been used for agricultural purposes and continue to be used for such purposes.

2.2 The building is the southern-most building at the site and has an existing vehicular access, which comes off Cade Drove from the north and along an existing access track, running immediately adjacent to the eastern elevation of the building. This access track is owned by the applicant and is one of two accesses to the applicant's existing farm/agricultural business.

2.3 The site is immediately bordered by an existing access track on its eastern side with a mature

hedgerow and arable fields beyond. To the north and south lies open arable fields, owned by the applicant. To the west lies the rest of the applicant's farm in the form of three glasshouses and three agricultural buildings.

2.4 The building, subject to this Class Q application, has been used for the storage of agricultural machinery for the applicant's agricultural business. The building has partly brick and partly corrugated steel sheeting walls with a corrugated sheet fibre roof.

2.5 To the northern side of the building is a grassed area with an arable field immediately beyond. To the east lies an access track laid with stone and a hardstanding area immediately to its southern elevation. To the west also lies a hardstanding area.

2.6 The building is situated in Flood Zone 3a, as defined by the Environment Agency data maps.



Figure 1: Site Location

3. PROPOSED DEVELOPMENT

3.1 The application is for the conversion and change of use of one agricultural building into two residential dwellinghouses under the permitted development rights of Schedule 3, Part 2, Class Q of the GDPO.

3.2 The proposed scheme is for converting the entirety of the building into two “larger dwellinghouses” as defined within the Class Q of the GDPO. The building has sufficient height for the proposed dwellings to be two-storey. Therefore, the building will be converted into two two-storey dwellinghouses with the total floorspace of the first dwellinghouse (plot 1) being 223sqm and the second dwellinghouse (plot 2) being 221sqm, creating a maximum cumulative floorspace of 444sqm. The structural survey concluded that the building is structurally capable of conversion with the dwellings being two-storey in height.

3.3 The two existing large openings on the property’s southern elevation will be utilised and bifold doors will be inserted on the ground floor and windows on the first floor. A further two windows will be inserted on the southern elevation. On the northern elevation 6 new doorways and two new windows will be inserted on the ground floor and 8 new windows on the first floor. One new doorway and three new windows will be inserted on both the eastern and western elevations.

3.4 As already stated, the entirety of the existing

Figure 2: Proposed Site Plan



3. PROPOSED DEVELOPMENT

structure of the building will be utilised for the conversion and will not extend beyond the existing external dimensions of the building. It also means no demolition is considered necessary for the building's conversion.

3.5 The proposed site plan identifies the size of the proposed private curtilages for both of the dwellings totals 444sqm, which is the same cumulative area as the floorspace of the proposed dwellings.

Figure 3: Proposed Conversion Design



4. LEGISLATION

Introduction

4.1 Permitted Development Rights refer to a set of planning regulations held within The Town & Country Planning (General Permitted Development) (England) Order 2015 which allow certain types of development to be carried out without the need for a Full Planning Application.

4.2 These rights were introduced by Government and aim to streamline the planning process for specific types of development, which includes the conversion of agricultural buildings to dwellinghouses.

4.3 The conversion of agricultural buildings to dwellinghouses is permitted, subject to criteria, under Schedule 2, Part 3, Class Q of The Town and Country Planning (General Permitted Development) (England) Order 2015—simply referred to henceforth as “Class Q”.

4.4 Class Q supports wider opportunities to facilitate rural economic growth by making better and more sustainable use of existing buildings, and by facilitating new housing provision in areas where supply is otherwise restricted.

Class Q—Agricultural Buildings to Dwellinghouses

Permitted Development

“Q. Development consisting of -

- (a) *a change of a building and any land within its curtilage from a use as an agricultural build-*

ing to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order; and

- (b) *(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”.*

4.5 The applicant wishes to exercise the above described rights in relation to enable a change of use for the conversion of an agricultural building at Broadgate Nurseries to 2 no. residential dwellinghouses and the formation of associated domestic curtilages, together with the implementation of associated building operations reasonably necessary to convert the agricultural buildings into uses as dwellinghouses.

4.6 Such development is permitted by law and does not require the submission of a full planning application, provided it meets the specific criteria and conditions.

4.7 The following references to Class Q legislation explaining how the proposed development satisfies the relevant criteria and conditions, and therefore does not necessitate the prior approval of South Holland District Council.

Development Not Permitted

“Q.1 Development is not permitted by Class Q if—

- (a) *the site was not solely used for an agricul-*

tural use as part of an established agricultural unit—

(i) on 20th March 2013, or

(ii) in the case of a building which was in use before that date but was not in use on that date, when it was last in use, or

(iii) in the case of a site which was brought into use after 20th March 2013, for a period of at least 10 years before the date development under Class Q begins;”

4.8 The subject agricultural building was constructed in circa 1979 and has only being used for agricultural uses since its construction for the applicant’s agricultural business. Therefore, the building meets the above criteria.

“(b) in the case of—

(i) a larger dwellinghouse, within an established agricultural unit—

(aa) the cumulative number of separate larger dwellinghouses developed order Class Q exceeds 3; or

(bb) the cumulative floor space of the existing building or buildings changing use to a larger dwellinghouse or dwellinghouses under Class Q exceeds 465 sqm;”

4.9 The cumulative number of separate larger dwellinghouses under Class Q is 2 and, therefore,

4. LEGISLATION

does not exceed 3.

4.10 Furthermore, the cumulative floor space of the two dwellings totals 444sqm and, therefore, does not exceed the 465 sqm allowed.

“(ba) the floor space of any dwellinghouse developed under Class Q having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Class Order exceeds 465 sqm”.

4.11 The two proposed dwellinghouses have a floor-space of 223 sqm (plot 1) and 221 sqm (plot 2). Therefore, neither dwellinghouse proposed will have a floor space exceeding 465 sqm allowed by Class Q.

“(c) In the case of—

(i) a smaller dwellinghouse, within an established agricultural unit—

(aa) the cumulative number of separate smaller dwellinghouses developed under Class Q does not exceed 5; or

(bb) the floor space of any one separate smaller dwellinghouse having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order exceeds 1— sqm;”

4.12 Given the two proposed dwellings are larger dwellinghouses, this particular criteria is not applicable.

“(d) In the case of—

(i) the development under Class Q (together with any previous development under Class Q) within an established agricultural unit would result in either or both of the following—

(i) a larger dwellinghouse or larger dwellinghouses having more than 465 sqm of floor space having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order;

(ii) the cumulative number of separate dwellinghouses having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order exceeding 5;”

4.13 Two larger dwellinghouses are being proposed with one being 223 sqm and the second being 221 sqm in total. Therefore, the proposed development has dwellinghouses significantly below the 465 sqm fresh hold and does not exceed 5 dwellinghouses.

“(e) the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained;”

4.14 The site is owned and operated by the applicant and is not occupied under an agricultural tenancy.

“(f) less than 1 year before the date development begins—

(i) an agricultural tenancy over the site has been terminated, and

(ii) the termination was for the purpose of carrying out development under Class Q,

Unless both the landlord and the tenant have agreed in writing that the site is no longer required for agricultural use;”

4.15 There has been no agricultural tenancies meaning none of the above statements are relevant to the application site.

(g) development under Class A (a) or Class B (a) of Part 6 of this Schedule (agricultural building operations) has been carried out on the established agricultural unit-

(i) since 20th March 2013; or

(ii) where development under Class Q begins after 20th March 2023, during the period which is 10 years before the date development under Class Q begins;”

4.16 No development under Class A (a) or Class B (a) of Part 6 of this Schedule has been carried out on the established agricultural unit since 20th March 2013 nor within 10 years of the date of development under Class Q is proposed to begin.

4. LEGISLATION

(h) the development would result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point”;

4.17 The proposed conversion of the building into two dwellinghouses would not extend beyond the external dimensions of the existing building. Therefore, this criteria is met.

(i) The development under Class Q (b) would consist of building operations other than-

(i) The installation or replacement of—

(aa) windows, doors, roofs or exterior walls, or

(bb) water, drainage, electricity, gas or other services,

(ii) partial demolition to the extent reasonably necessary to carry out building operations allowed by paragraph Q.1(i)(i);”

4.18 As shown by the submitted drawings, the proposed conversion of the building into two dwellinghouses does not consist of building operations other than those outlined within the legislation as above. Water and electricity services are available to both buildings and drainage can be connected. The building operations proposed are considered to be reasonably necessary for the building to function as a dwellinghouse.

4.19 Furthermore, the entire building will be con-

verted into two dwellinghouses meaning no demolition of the building is required.

(j) the site is on article 2(3) Land;

4.20 The site is not on article 2(3) land and, therefore, meets this criteria.

(k) the site is, or forms part of-

(i) a site of special scientific interest;

(ii) a safety hazard area;

(iii) a military explosives storage area;”

4.21 The site is not on nor forms part of a site of scientific interest, a safety hazard area or military explosives storage area. Therefore, the site meets this criteria.

(l) the site is, or contains, a scheduled monument; or

4.22 The site is not, nor contains, a scheduled monument. Therefore, the site meets this criteria.

(m) the building is a listed building.

4.23 The building is not a listed building. Therefore, the building meets this criteria.

4.24 As set out in this section of the statement, it demonstrates that the proposed conversion of the building into two dwellinghouses meets the Class Q criteria.

4.25 The following section seeks to outline why

the prior approval of the authority is not considered to be required with regard to Q2 (1) (a)- (g).

5. CONDITIONS

5.1 This section of this statement assesses the proposal with respect to the items identified in Q.2 (1) (a)-(g) and outlines why the prior approval of the authority is not considered to be required.

Q.2 (1) Where the development proposed is development under Class Q (a) together with development under Class Q (b), development is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

(a) transport and highways impacts of the development;

5.2 The building has an existing access along a well-established and well maintained access road, heading due north away from the building to join Cade Drive. Once on Cade Drive it has a T-junction with Bullocks Short Gate and in turn continues northwards to Harford Gate and Broadgate before linking with the A17 trunk road.

5.3 The existing access onto Cade Drive is a longstanding access for the applicant's farm with a wide radius, given it caters for agricultural machinery and lorries delivering seed, etc to the applicant's farm. It is considered that this existing access onto Cade Drive has sufficient visibility splays for the nature of the road and there is also sufficient visibility splays for the existing T-junction with Cade Drive

and Bullocks Short Gate.

5.4 Furthermore, it is considered that the utilisation of this access for a small residential development comprising of 2 dwellinghouses would not lead to a substantial increase in the intensity of use compared to what has been historically associated with the access being used for agricultural purposes.

(b) noise impacts of the development;

5.5 It is considered that the potential noise impacts of the development are likely to be negligible. There are a number of existing dwellings to the north/north west and to the south west of the site, but these are of a distance that the proposed dwellinghouses will not have an adverse impact on. It is also noted that the western-most building on the farm has permission for being converted to a dwellinghouse, but, again, this is of a sufficient distance for there to be no adverse noise impacts.

(c) contamination risks on the site;

5.6 The conditions set out for Class Q require buildings to be last in use for agricultural purposes thus there is some potential for there to be contaminants in the ground associated with that use. Having the benefit of a deemed planning permission under GDPO, any required works for contamination can be subject to conditions. If the Council's Environmental Health Department is con-

cerned that there is potential for ground contamination, it is considered that a suitably worded condition requiring investigative works would be sufficient.

(d) flooding risks on the site;

5.7 The site is situated within Flood Zone 3, the area at the highest probability of flooding from rivers (having 1 in 100 or greater annual probability (>1% of river flooding)). Therefore a Flood Risk Assessment (FRA) has been completed by RM Associates and is submitted in support of this application.

5.8 As detailed in the FRA, paragraph 167 of the National Planning Policy Framework (NPPF) 2021, states that such conversions should not be subject to the sequential or exception tests. However, paragraph 167 also stresses that proposals should still meet the requirements for site specific flood risk assessments. Given the proposal is more vulnerable development, it is recommended that development be carried out in accordance with the submitted flood risk assessment.

(e) whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order;

5.9 National Planning Guidance (NPG) confirms that the Class Q permitted development right does not

5. ASSESSMENT

apply a test in relation to sustainability of location and this is deliberate as the right recognises that many agricultural buildings will not be in village settlements and may not be able to rely on public transport for their daily needs.

5.10 On the issue of what is meant by “impractical” or “undesirable”, the NPG outlines that when considering whether it is appropriate for the change of use to take place in a particular location, a local planning authority should start from the premise that the permitted development rights grants planning permission, subject to the prior approval requirements. Therefore, an agricultural building being situated in a location where the local authority would not normally grant planning permission for a new dwelling is not a reason for refusing prior approval.

5.11 As stated early in this statement, the building is easily accessible from an existing access track from Cade Drove which then continues onto the wider road network. The proposed alterations are sympathetic to the building and its surroundings and water and electricity services are available to the building.

5.12 Furthermore, there is residential development nearby and there are no reasons why the siting or location would be impractical or undesirable to change to a dwelling.

(f) the design or external appearance of the building; and

5.13 The proposed conversion would involve straight forward modification reasonably necessary to convert the building into residential use. No demolition will be required as part of the proposed conversion allowing the building’s size, massing and character to be retained. The design is aimed at enhancing the visual appeal while still retaining a connection to its agricultural origins.

(g) the provision of adequate natural light in all habitable rooms of the dwellings.

5.14 The proposed conversion of the building into two dwellinghouses is considered to be well designed and have clear space all around, enabling sufficient natural light to be provided to all habitable rooms of the proposed dwellinghouses.

6. CONCLUSION

6.1 This statement, together with documents submitted in support of this application, details how the applicant considers how the proposed conversion of the existing agricultural building at Broadgate Nurseries into two dwellinghouses falls within the scope of permissible development and fully aligns with the regulations outlined in Class Q of the 2015 Order.

6.2 Furthermore, the applicant considers this application is fully policy compliant for confirmation that no prior approval will be required in respect of those elements identified in Q2.1 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

6.3 This application in its entirety is submitted for your kind considerations and positive determination.