

Planning Supporting Statement incorporating Flood Risk Assessment

on behalf of Fletcher Salads

Full planning application for the change of use of agricultural land to gardens, driveways and vehicular parking for approved barn conversion under approved Class Q Prior Notification Application H06-0868-23

On land off Cade Drove (formerly part of 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: AP058362

1. INTRODUCTION

1.1 This Planning Statement has been prepared by Brown & Co JHWalter to support a full planning application on behalf of Fletcher Salads for the change of use of agricultural land to garden land vehicular access and parking for approved barn conversion via a Class Q application (planning reference: H06-0868-23). At the time of the Class Q approval, it had the address of Broadgate Nurseries, Gedney Broadgate. However the other buildings to the east have now been sold by the applicant and the building and land forming part of this proposal is now known as land/barn off Cade Drove (formerly part of Broadgate Nurseries), Gedney Broadgate, Spalding.

1.2 The purpose of this statement is to set out the background to the applicant's proposals, the relevant planning policies and the key planning issues raised by them. The statement is structured as follows:-

- **Section 1:** Introduction
- **Section 2:** Describes the physical characteristics of the site and its surrounding;
- **Section 3:** Outlines the proposed development;
- **Section 4:** Summarises the relevant national and local planning policy context;
- **Section 5:** Provides a planning assessment of the key considerations raised by the proposal; and

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

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

- Planning Application Form
- AP058362-01-A Site Location Plan with red line/planning application area
- AP058362-02 Existing Site Plan
- AP058362-03-A Proposed Site Layout Plan
- AP058362-04-A Proposed Block Plan
- AP058362 Ecological Survey Report & BNG Assessment
- AP058362 BNG Metric
- A0058362 Ecological Condition Assessment

2. SITE & SURROUNDINGS

Characteristics of Site & Surroundings

2.1 The application site is currently in private ownership and located on land off Cade Drove in Gedney Broadgate (formerly part of Broadgate Nurseries), located approximately 2.1km to the south west of Long Sutton. The site is situated to the east of Broadgate Nurseries, which was formally owned by the applicant but has now been sold. The site has an existing access from Cade Drove to the north.

2.2 The site is immediately bordered by open arable fields to the north, east and south and to the west lies the buildings of Broadgate Nurseries which was previously owned by the applicant.

Site Planning History

2.3 There is an extant planning permission (SHDC Planning Reference: H06-0868-23) for the conversion and change of use of the agricultural building to two residential dwellings via Class Q Permitted Development Rights. Except for a small area immediately to the north and south of the building, the rest of the land to the north, east and south remain unchanged as part of the Class Q approval.

2.4 This application proposes to change the use of the agricultural land to the north and south of the building to extend the garden/outdoor amenity space for the two dwellings approved as part of the Class Q approval together with providing vehicular driveways and parking for the two dwellings from

the existing access road from Cade Drove in the north.

3. THE PROPOSAL

3.1 The proposed development is for the change of use of agricultural land to garden land together with vehicular access and parking for an approved barn conversion via a Class Q approval (planning reference: H06-0868-23). As previously stated, at the time of the Class Q approval, it had the address of Broadgate Nurseries, Gedney Broadgate. However the other buildings to the east have now been sold by the applicant and the building and land part of this proposal is now known as land/barn off Cade Drove, Gedney Broadgate, Spalding.

3.2 The development has the following attributes:-

Access—The existing access to the north of the existing building and land from Cade Drove will be utilised and retained for the access for the proposed scheme. This access is the access which was approved as part of the Class Q Prior Notification Application (PNA).

Once within the site, the access will have the same access to that of the Class Q consent. It will be upgraded where necessary and will continue south until it reaches the building. At this point, the access will split with a spur off at 90 degrees and extend approximately 20m before turning to provide a vehicular parking area for plot 2. The vehicular parking area for plot 1 will directly off the main access road. The existing access will continue past the building to continue to provide access to the agricultural field to the south of the proposed application area.

Layout—The proposed site layout plan overleaf shows the positioning of the driveways and vehicular parking together with the garden areas for the two plots. The plan shows how this has been carefully and sensitively designed to reflect the site's countryside location.

Scale—The submitted plans, shown on the following page, shows each garden, driveway and vehicular parking area will extend to approximately half an acre for each plot.

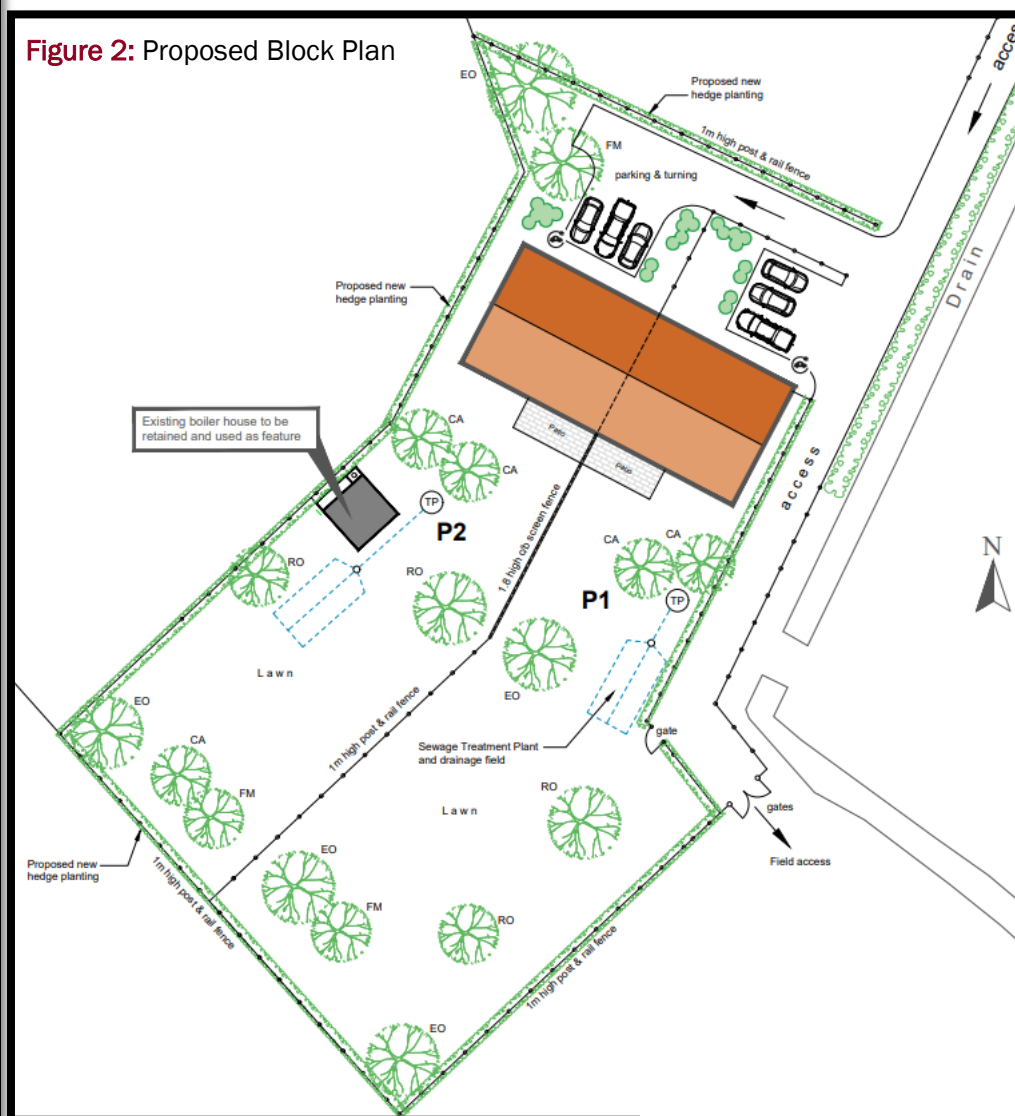
Landscaping—The existing agricultural building will be converted as per the approved plans as part of the Class Q PNA consent. The garden areas will be laid to grass with trees and wildlife flower areas whilst the vehicular parking areas will be laid to gravel. The boundaries of each plot will stipulated by post and rail fencing together with hedgerow planting consisting of local native species.

Appearance—As already stated, the proposed site plan on the following page and the details included in the landscaping section above shows the appearance of the proposed garden areas with the driveways and vehicular parking.

Layout Plan



Figure 2: Proposed Block Plan



4. PLANNING POLICY CONTEXT

4.1 Planning law requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. The development plan is, therefore, the starting point for the assessment of all planning proposals. Development plan policies of particular importance to this application are summarised in paragraph 4.3 below.

4.2 The Government's planning policy, as set out in the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPFG), are also significant material considerations. National planning policies of particular relevance to this application are summarised in paragraph 4.4.

Development Plan Policies

4.3 The development plan for this application comprises of the South East Lincolnshire Local Plan (SELLP) Central Lincolnshire Local Plan (CLLP) adopted in 2019. The overarching policies relevant to this application are as follows:-

- Policy 1: The Spatial Strategy
- Policy 2: Development Management
- Policy 3: Design of New Development
- Policy 4: Approach to Flood Risk
- Policy 28: The Natural Environment
- Policy 29: The Historic Environment

- Policy 30: Pollution
- Policy 31: Climate Change and Renewable and Low Carbon Energy
- Policy 36: Vehicle and Cycle Parking

National Planning Policy Framework (NPPF)

4.4 The relevant sections and paragraphs of the NPPF 2023 are as follows:-

- Paragraph 11: The Presumption in Favour of Sustainable Development
- Paragraph 47: Planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise.
- Section 9: Promoting Sustainable Transport
- Paragraph 131: Good design is key to the creation of high quality, beautiful and sustainable buildings and places.
- Paragraph 165: Inappropriate development in areas at risk of flooding should be voided by directing development away from areas at highest risk.
- Paragraph 166: All plans should apply a sequential, risk-based approach to the location of development—taking into account all sources of flood risk and the current and

future impacts of climate change—so as to avoid, where possible, flood risk to people and property.

- Paragraph 180: Planning policies and decisions should contribute to and enhance the natural local environment.
- Paragraphs 195 to 204: Impact on the setting of heritage assets and address historic environmental considerations.
- Glossary Annex 2: Describes heritage assets as building, monument, site, place, area or landscape identified as having significance meriting consideration in planning decisions, because of its heritage interest.

5. PLANNING ASSESSMENT

Principle of Development

5.1 Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination of any planning application must be made in accordance with the development plan unless material considerations indicative otherwise. This is further confirmed in paragraph 47 of the NPPF 2023.

5.2 Policy 1 of the SELLP advises the application site is situated within the countryside, as it is situated outside any existing settlement. In such instances, the policy indicates 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 in terms of economic, community or environmental benefits. The proposed scheme is for the change of use of agricultural land to outdoor amenity/garden land and vehicular parking for the recently consented Class Q PNA for converting the building into two dwellings.

5.3 Therefore, it is considered that the proposed scheme is necessary to this location as the garden land and vehicular parking is necessary to provide sufficient amenity space for any future occupiers of the dwellings once they are converted into dwellings. Such a scheme obviously cannot be undertaken anywhere else, given it is directly and intrinsically linked to the consent Class Q PNA for converting the

building into two dwellings.

Enhancement to Character and Setting of the Area

5.4 Policy 3 (Design of New Development) of the SELLP advises that all new development will need to create distinctive places through the use of high quality and inclusive design and layout together with securing the landscape character of the location.

5.5 In more detail and with specific references to the wider landscape setting, it is noted that the site is located within the “Eastern Fens” within the Fens Character Area (Character Zone FEN2), as defined by The Historic Landscape Characteristics Project for Lincolnshire (September 2011). The area is characterised by some nucleated settlements scattered throughout the character zone, located on ridges of slightly higher ground. It is generally possible to see several farmsteads or other houses in every direction from any position within the character area. The character area has a strong feeling of openness with few hedges demarcating fields.

5.6 Given the site’s remote location, the number of visual receptors are minimal and limited to views from the nearby dwellings of Olive Tree Barn, Haveril House and the soon to be completed conversion of a traditional brick-built building previously owned by the applicant together with the nearby roads of Bullock’s Short Gate, Cade Drove

and Huntsgate. Views of the site from these receptors is of an agricultural building and a bare area of land. When the building is converted into two dwellings via the consented Class Q PNA, the building will be converted as per the approved plans with small gardens to the south of the building’s southern elevation. If this were to occur, the building will be seen with two very small domesticated gardens/outdoor amenity space, which would be in stark contrast to the character of the area where residential dwellings tend to have larger gardens interspersed within the predominately agricultural landscape.

5.7 In addition, the traditional brick-built building to the west of the site, which was previously owned by the applicant, is being converted into a single dwelling and the glasshouses and cold store previously situated on the site have been removed. This means this property, once completed will have a sizeable garden and land associated with the dwelling. Without the additional outdoor amenity space/garden land, proposed in this application, the conversion of the building into two dwellings with very small domesticated gardens would also be out of character and in stark contrast to the neighbouring property.

5.8 Furthermore, the proposed outdoor amenity/garden space will predominately be laid to grass with wooden fencing and hedgerows along the

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boundaries of the site and landscaping (trees, wild flowers, etc) within the gardens themselves. It is considered that such a design and landscaping features will retain the open character of the surrounding landscaping, moving away from the more domesticated design which is permitted.

5.9 Therefore, it is considered that the proposed scheme will enhance the character and setting of the surrounding area for the reasons set out above and meets the requirements of policy S3 of the SELLP.

Access and Highway Safety

5.10 Such considerations are cited in policies 2 and 3 of the adopted SELLP and are consistent with advice within the NPPF. Policy 36 of the SELLP is also considered relevant to the proposed development proposals.

5.11 The proposed development will utilise the existing access along a well-established and well maintained access road, heading due north away from the site to join Cade Drove. Once on Cade Drove 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.

5.12 This existing access is the access which the consented Class Q PNA will utilise and deemed acceptable by Lincolnshire County Council Highways

raising no objections with this access and the impacts on the neighbouring highway network.

5.13 Given this scheme does not impact on the existing design of the consented Class Q PNA, meaning the same number of dwellings and vehicular traffic movements will occur, it is considered that this access is suitable for the proposed scheme, meeting the requirements of policies 2 and 3 of the adopted SELLP.

Flood Risk and Drainage

5.14 Policy 4 of the SELLP is concerned with flood risk management. Furthermore, the NPPF and the accompanying NPPG advise to locate development in areas where it is at the lowest probability of flooding.

5.15 Environment Agency Flood Risk Maps show the entirety of the site subject to this application falls 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). Policy 4 advises that development proposed within an area at risk of flooding will be permitted in instances where specific criteria are met. This includes where it can be demonstrated that there are no other sites available at a lower risk of flooding (i.e the sequential test is passed). The sequential test will be based on a Borough or District wide search area of alternative sites within the defined settlement boundaries, unless local cir-

cumstances relating to the catchment area for the development justify a reduced search area (i.e there is a specific need for the development in that location).

5.16 The NPPF requires the sequential test to be applied and then, if necessary, the exception test. It advises that the sequential test is not passed and development should not be permitted if there are reasonable available sites appropriate for the proposed development in areas with a lower probability of flooding. With regard the exception test, the NPPF sets out two elements. The first being that the proposed development shows a wider sustainability benefit to the community that outweighs the flood risk and, secondly, where possible, will reduce flood risk overall.

5.17 The sequential test is considered to be passed given there is a fallback position because of the Class Q PNA for the conversion of the existing agricultural building to two dwellings and this application is proposed to provide better outdoor amenity/garden space and vehicular parking for the consented Class Q PNA. Therefore, the proposed scheme cannot be positioned anywhere else.

5.18 The first part of the exception test is also considered to be met, again due to the fallback position of the Class Q PNA previously been granted for the agricultural building, which is considered should be given significant weight, and this proposal is directly

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associated with the consented conversion. In terms of the second part of the exceptions test, it is noted that the site's current use is agriculture, which is defined within the NPPF's Annex 3: Flood Risk Vulnerability Classification as "Less Vulnerable". The proposed change of use to garden/outdoor amenity space is considered to also be "Less Vulnerable". Therefore, the proposed change of use represents no change in vulnerability from a flood risk perspective and the second part of the exceptions test is passed. Nonetheless, as this site is in an area that is capable of receiving flood warnings from the Environment Agency Floodline Warning Direct system, it is recommended that the property owner/tenant of the properties contact the Environment Agency's Floodline to register the property to receive advance warning of flooding by telephone, mobile, fax, SMS text, email or pager. The Environment Agency aim to issue a "serve flood warning" approximately 2 hours before existing defences are overtopped.

5.19 Therefore, for the reasons set out above, it is considered the requirements of Policy 4 and the relevant paragraphs of the NPPF have been met, particularly given the fallback position of the Class Q PNA consent for the conversion of the existing agricultural building into for two dwellings and this proposal being directly linked to the consented PNA.

Residential Amenity

5.20 Residential amenity considerations are cov-

ered by policies 2 and 3 of the adopted SELLP. They are considered consistent with policy within the NPPF. Policy 30 of the SELLP is also considered relevant.

5.21 This application is for the potential change of use of agricultural land surrounding the building to provide outdoor amenity/garden space and vehicular parking for the recently consented Class Q PNA for converting the building into dwellings. Therefore, it is considered that the proposed scheme will provide an enhancement in the residential amenity for occupiers of the dwellings once the conversion work has been completed.

5.22 Furthermore, the closest dwelling is the proposed dwelling as part of the conversion of a neighbouring traditional brick-built building which was previously owned by the applicant but now sold to a third-party. This dwelling is approximately 70m from the site. The next closest dwellings are Olive Tree Barn and Haveril House, approximately 165m to the north west and 175m to the north, respectively. Given the distance to these dwellings and the proposal being for garden space and vehicular parking associated with the conversion of a building to two dwellings, which already has Class Q PNA consent, it is considered the proposed scheme will not have any residential amenity impacts on these dwellings.

5.23 Therefore, it is considered by the applicant

that the proposal meets the requirements of policies 2, 3 and 30 of the SELLP.

Ecology and Biodiversity

5.24 An ecological survey has been completed by SLR Consulting and their report is submitted in support of this application. The report concludes that the site is assessed as holding less than local importance and legally protected species are absent from the site due to a lack of suitable habitat and/or lack of fields signs. Therefore, no ecological features have been carried forward for formal impact assessment, but the following "designed-in" mitigation has been incorporated into the scheme:-

- A pre-demolition check for nesting birds will be undertaken if buildings, croplands and modified grassland are due to be demolished within the nesting bird season (March to August inclusive).
- Within the design of the proposal good practice environmental and pollution control measures are employed with regard to current best practice guidance.

5.25 Furthermore, a number of enhancements will be incorporated into the proposed scheme as detailed in section 4.2 (Enhancements) of SLR Consulting's report, including wildflower grassland, 322 metres of species rich hedgerow and seventeen native trees will be planted.

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5.26 Furthermore, SLR Consulting have also undertaken a BNG assessment, which is detailed in section 5 (Biodiversity Net Gain Assessment) of their report. This section of the report together with the submission of the BNG Metric concludes that the proposed scheme can create an on-site net gain of 28.59% and significantly over the minimum of needing to provide a 10% net gain.

Contamination

5.27 The previous uses of the land were agricultural associated with the applicant's agricultural unit. It is considered any sources of potential contamination are low. Furthermore, it is noted that Environmental Protection were consulted for the Class Q application for the conversion of the building and they confirmed that they had no objections subject to the attachment of a standard land contamination conditions.

5.28 Therefore, given the above, it is considered that contamination is acceptable and the Council's Environmental Protection can attach a suitably worded contamination condition if they consider this necessary.

6. CONCLUSION

6.1 The proposed scheme is for the change of use of agricultural land to outdoor amenity/garden land and vehicular parking for the recently consented Class Q PNA for the converting the building into two dwellings. Therefore, it is considered that the proposed scheme meets the requirements of the SELLP, as it is necessary to provide sufficient amenity space and vehicular parking for any future occupiers of the dwellings once they are converted, given the Class Q consent only allows very small garden/amenity spaces. Such a scheme obviously cannot be undertaken anywhere else, given it is directly and intrinsically linked to the consented Class Q PNA for converting the building into two dwellings.

6.2 Furthermore, it is considered, as detailed throughout this statement, the proposed scheme meets all other local and national policy considerations, including flood risk; amenity factors; access and highways safety; ecology and BNG; and landscape.