

Mr S Dobney

rdc
Robert Doughty
Consultancy

Planning, Design and Access Statement
Part Change of Use of Former Horticultural Business
to Residential Curtilage and Erection of Garage and
Swimming Pool for Residential Use.
Land Rear of 110 Siltside, Gosberton Rise, Gate,
Spalding, Lincolnshire.

32 High Street, Helpringham,
Sleaford, Lincolnshire NG34 0RA
Tel: 01529 421646
Email: admin@rdc-landplan.co.uk
Web: www.rdc-landplan.co.uk

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1. INTRODUCTION

- 1.1. This statement accompanies a Full Planning Application for the change of use of part of a former horticultural unit to residential curtilage to be used in association with the occupation of 110 Siltside (the applicant's bungalow to the south), together with the erection of a detached single storey garage and detached covered swimming pool.
- 1.2. Pre-application advice was obtained from the Local Planning Authority (LPA) in April 2021. The proposal at that time before the council was for the contents of this planning application plus a new detached workshop to be accessed via the track that served the former horticultural unit and a change of use of the rest of the horticultural unit to equestrian use and the erection of a stable block. The advice from the council was that in the event that an application were to be submitted, it would not be looked upon favourably by virtue of the intensification of use and the impact arising from the proposed workshop.
- 1.3. In light of the informal advice, the workshop element and equestrian use have been removed from the proposal.
- 1.4. However, it is the applicant's view that as the proposed pool and garage will be located broadly on the footprint of the existing barn that has an extant permission to be converted into a separate dwelling (LPA ref H08-0647-15), coupled with the fact that the proposed enlargement of the curtilage of 110 Siltside is broadly in line with existing residential curtilages to the east and west, there will be little impact arising from the proposal.

2. THE SITE AND CHARACTERISTICS OF THE AREA

- 2.1. The site consists of a former horticultural building with an implemented Prior Notification permission (LPA ref H08-0647-15) to be converted into a 4-bedroom dwelling, together with various horticultural paraphernalia, which is in the process of being cleared up.
- 2.2. The former horticultural building lies inside the settlement boundary for Gosberton Risegate and is shown on the Inset Plan in the South East Lincolnshire Local Plan.
- 2.3. The boundaries of the entire former horticultural unit benefit from mature planting consisting of trees and tall hedges. The northern hedgerow in particular acts as a strong boundary reflecting the transition between the intensively farmed open agricultural land to the north and the collection of gardens and paddocks to the south.
- 2.4. The extent of the proposed curtilage extension is broadly in line with the existing curtilages of dwellings to the east and west which also exhibit a number of ancillary buildings.
- 2.5. There are no public views of the application site or the wider former horticultural site as a whole, other than from glimpses from land to the east and west.
- 2.6. In 2020 a planning appeal (APP/A2525/W/20/3246122) was dismissed to demolish the barn to be converted into a dwelling, and to erect a detached dwelling and to convert part of the former horticultural unit into residential curtilage. The proposed dwelling and curtilage were found to be larger than the building and curtilage it was to replace, and being sited further into the horticultural unit, this would be at odds with the largely frontage character in the area.
- 2.7. The Inspector concluded on the matter of impact that:

“...the 2015 scheme building is located close to the southern boundary of the site and read more as part of the cluster of buildings focused around the main road. It is also of a more utilitarian appearance, shape, size and scale. For these reasons, it would be fundamentally different to the appeal scheme which would be a much larger and taller building of an obviously more domestic type, with an expansive curtilage. It would be sited noticeably further into the site and as a consequence lead to the harm I have described in my comments on the first main issue.

The continued presence of the 2015 scheme building and other works associated therewith would not therefore be sufficient to justify the appeal scheme as a 'trade off'. Particularly in regard to the size, design and siting of the proposed dwelling."

- 2.8. The proposal will replace the existing buildings and as such the scale and associated impact will remain largely the same. The additional curtilage proposed as part of this application will extend some 16.5m beyond that approved as part of the barn conversion scheme but is broadly in line with the extent of curtilage and buildings associated with existing development either side of the application site.

3. PLANNING POLICY

The Development Plan

- 3.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that, "If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."
- 3.2. The Development Plan for the purposes of this appeal is the South East Lincolnshire Local Plan adopted in March 2019.
- 3.3. There are no policies in the development plan that specifically consider the extension of residential curtilages.
- 3.4. The appropriate policies in the South East Lincolnshire Local Plan (Local Plan) are as follows.
- 3.5. Policy 2 – 'Development Management' outlines that the LPA will grant planning permission where it is satisfied the proposal is consistent with the principles of sustainable development.
- 3.6. Policy 3 – 'Design of New Development' requires new developments to have an inclusive design and be appropriate to the local area.
- 3.7. Policy 4 – 'Approach to Flood Risk' requires a sequential approach to locating new development.

The National Planning Policy Framework (NPPF)

- 3.8. The National Planning Policy Framework (the "NPPF") sets out Central Government's planning policies for England and how these are expected to be applied.
- 3.9. Paragraph 127 sets out a number of criteria whereby planning policies and decisions should ensure developments:
 - "a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience”.

3.10. Paragraph 170 requires planning policies and decisions to contribute to and enhance the local and natural environment by:

“a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;

c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;

d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and

f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate”.

4. THE PROPOSAL

- 4.1. The review of the Inspector's decision in relation to the dismissed replacement dwelling proposal indicates that the existing buildings on site relate more to the frontage development and as such the applicant has sought to replace these with single storey buildings associated with the occupation of 110 Siltside. Consequently, the proposed buildings have no greater impact on the built form of the settlement than which currently exists.
- 4.2. The implemented Part Q permission for the conversion of the existing building on site is a material consideration in the determination of this latest planning application.
- 4.3. The proposed curtilage has also been reduced such that it now does not extend any further north than that to both the east and west. These curtilages also exhibit a number of ancillary buildings which characterise the fringe of development to the rear of Siltside. Notwithstanding the comments made by the Planning Inspector when dismissing the planning appeal, the character of the relatively narrow horticultural unit, together with the landscaped paddocks etc in the immediate vicinity does, in the applicant's mind, exhibit a very different character to the wide open and largely featureless agricultural fields to the north of the mature northern hedge line beyond the application site. Accordingly, the proposal will be very similar in character to the existing development in the area.
- 4.4. Both the proposed swimming pool and the garage building are long narrow buildings and as such are reminiscent of both the existing buildings on site and utilitarian in design. Were the barn conversion to be completed, the resultant building would have no lesser impact than that proposed as part of this application. Although the curtilage associated with the barn conversion is smaller, it would still exhibit the paraphernalia associated with a new dwelling.



The existing former horticultural buildings on site which will be demolished.

- 4.5. The impact arising from the use of the proposed swimming pool and garage on adjoining residential amenity will be intermittent as it is associated with the occupation of the existing dwelling (110 Siltside). The impact arising from the use of the converted barn will be greater than the proposal as it has all the residential accommodation, parking, access and garden area to the rear of the adjoining bungalow (108 Siltside).
- 4.6. The proposal therefore complies with policies in the development plan, especially when the conversion of the existing building on site to a separate dwelling plus curtilage, is taken into account, which it must.

5. OTHER MATERIAL CONSIDERATIONS

- 5.1. The application site lies within Flood Zone 3a and table 3 in the Planning Practice Guidance states that 'more vulnerable' development is appropriate in this zone.
- 5.2. The Strategic Flood Risk Assessment carried out as part of the South East Lincolnshire Local Plan, which was updated in March 2017, indicates that the site is in a 'no hazard' area in both the present day and for 2115.
- 5.3. Sequentially, the proposal is in relation to an existing building and, therefore, cannot be located elsewhere, however, having regard to the absence of a flood hazard, there is no risk of a flooding incident affecting the site even when taking into account climate change.
- 5.4. There are no other sources of flooding near the site that are likely to affect the proposal and there will be no impact arising from flooding to local land uses and users arising from the development.
- 5.5. The extant permission for the conversion of the existing barn on site would have resulted in sleeping accommodation on the ground floor.
- 5.6. The applicant is not aware of any protected species within the buildings to be demolished but all due care will be exercised during demolition and in the event of either bats or barn owls being discovered, work will cease until such time as the situation has been assessed by a qualified ecologist.

6. CONCLUSIONS

- 6.1. The application is for the replacement of a former horticultural buildings, which has an implemented planning consent for the conversion to a 4 bedroom single storey dwelling (reference: H08-0647-15), with two domestic buildings for use in association with the occupation of 110 Siltside, together with a modest extension to its curtilage.
- 6.2. The proposed buildings are similar in scale and location to the existing ones to be demolished and accordingly will have no greater visual impact than those which exist at present.
- 6.3. A modest extension to the curtilage of 110 Siltside will result in no greater extension into the wider former horticultural unit than that which currently exists to the east and west and therefore the existing character of the area will be preserved.
- 6.1. There are no public views of the application site or the wider extent of the former horticultural unit and, therefore, there would be no demonstrable impact on the character of the settlement.
- 6.2. There are no other material planning considerations which should prevent planning permission from being granted.

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