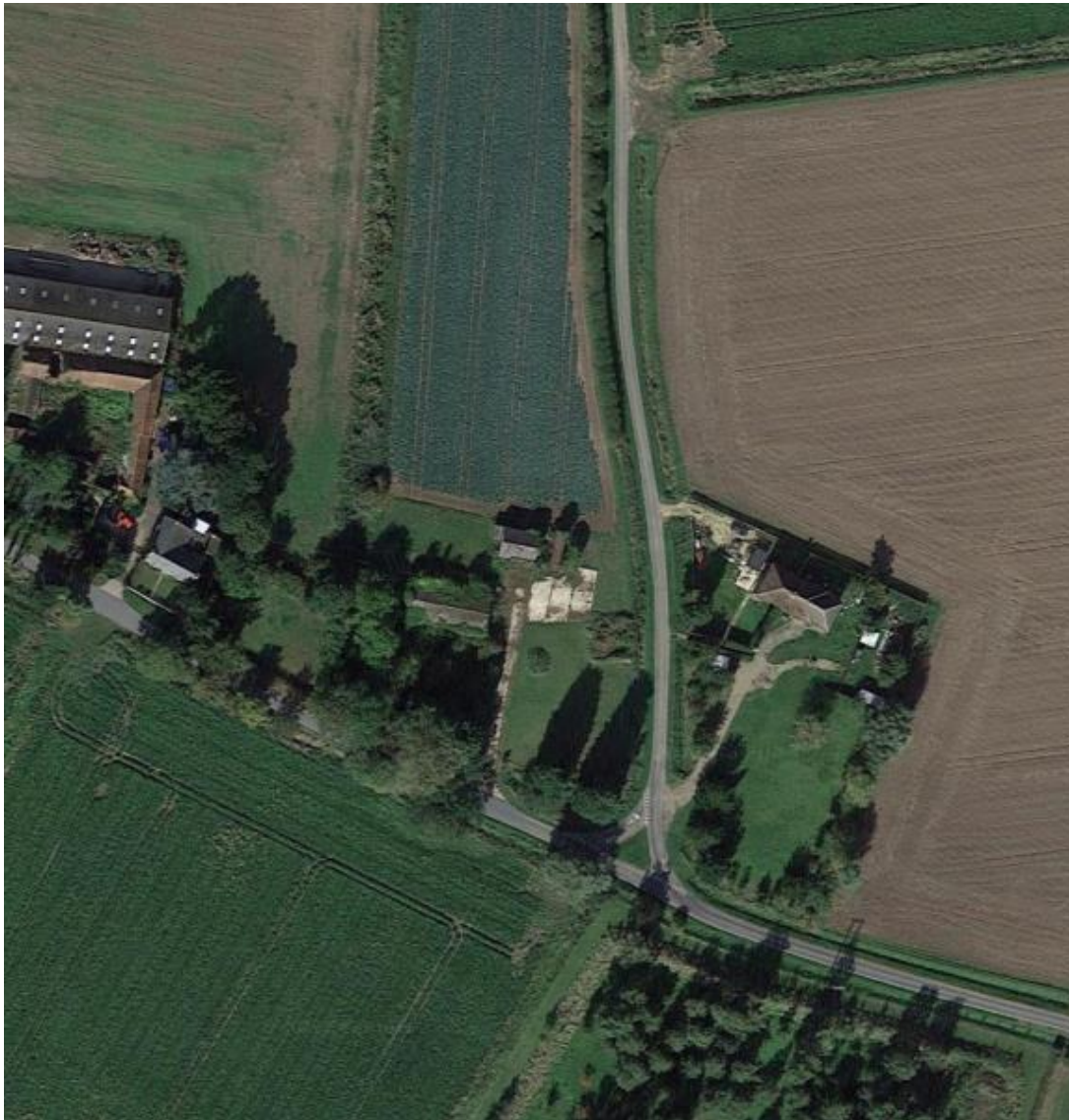


Justification Statement



Site:

Corner of Cheal Road/ Saltfleet Lane, Gosberton Fen, Spalding, PE11 4BD

Applicant:

Mr & Mrs Tidswell

Prepared by:

Miss O Staff of Origin Design Studio Ltd

Checked by:

Mr M Orridge of Origin Design Studio Ltd

Revision:

A01 –28th February 2022

A02 -11th April 2022

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INTRODUCTION

Origin Design Studio Ltd has been appointed by Mr & Mrs Tidswell to submit a planning application on a parcel of land which currently has a planning permission to convert an existing barn. This document provides a rationale for justifying a new build dwelling, in keeping with the nearby 'Cheal House'.

The dwelling proposes to be an improvement on the existing barn and allow for the site to be utilised and the construction to allow for a more sustainable and environmentally conscious building on the site.

The relevant policies of the South East Lincolnshire Local Plan 2011-2036 (SELLP) have been highlighted and justification is provided to demonstrate how the proposal meets them and therefore should be recommended for approval.

PLANNING POLICY & PLANNING HISTORY

LOCAL PLAN

The site is in the administrative district of South Holland and planning policy for the area is dictated by the adopted development plan, the South East Lincolnshire Local Plan 2011-2036 (SELLP).

PLANNING HISTORY

There is one recent planning application that is relevant to the site, it is as follows:

- H08-0861-21 - Conversion of agricultural building into dwelling

The above application was approved and resulted in a permission for one dwelling on the site. This Full Planning Permission should be treated as an existing dwelling for this purpose of this application.

LOCAL PLANNING PRECEDENT

A recent permission as gained within the district which holds many similarities to the application site and proposal.

- H13-1269-21 - Demolition of agricultural building and erection of detached dwelling

The above application was approved and due to the similarities listed below, the application site should be looked upon favourably also.

Both sites are for the replacement of a dwelling which gained permission through class Q permitted development but have not been built out, therefore the permission is regarded as the existing dwelling.

The proposed dwelling is also not located on the footprint of the existing dwelling, but is located where it is more suitable for the site. Similarly the application site proposes

a relocation of the footprint, however in doing this, it is more in keeping with neighbouring dwellings such as listed building 'Cheal House', being set closer to the road.

Both proposals also seek to increase the dwelling size from that which gained permission through class Q. The precedent increases the footprint of approx.. 238m² to a Gross Internal Area (GIA) of 359m² excluding additional garaging. This increase of roughly 50% has been applied to the proposal. As a result this precedent shows an increase of this percentage is deemed acceptable by the authority.

The precedent is also of a more traditional design, in keeping with the nearby Snake Hall, a listed building. As mentioned, the application site is located near to Cheal House, a listed building of a traditional design. As a result, the proposal, like the precedent, seeks to be in keeping with this and it's design is inspired by features of the design and its material palette. This will allow for betterment on the site in regard to aesthetics and character of the area.

NATIONAL PLANNING POLICY

The National Planning Policy Framework (NPPF) sets out the planning policies and how they should be applied.

SECTION 13

Section 13 of the NPPF relates to protecting Greenbelt land. In regard to this proposal, part 149d is most relevant and states that a local planning authority should regard the construction of new buildings as inappropriate in the green belt with the following exceptions:

“d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;”

This proposal seeks to work in line with this as it replaces a dwelling so retains the use and it is not materially larger than the one it proposes to replace.

LOCAL PLANNING POLICY

Through consulting the South East Lincolnshire Local Plan 2011-2036 (SELLP), the relevant policies are policies 1, 2, 3, and 22. Each have been summarised below and justification provided to demonstrate the proposal's adherence to each policy.

Policy 1

According to policy 1 of the SELLP, the site is categorised as being within the countryside. As a result, in line with the plan, development within the countryside should 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 site has a permission for a dwelling on site and therefore it can be proved that the location is suitable and meets the sustainable development needs for the area. Due to the proposal being a new build, it will inherently be an improvement environmentally due to its thermal efficiency.

Policy 2

Policy 2 of the SELLP relates to development management proposals and states proposals will be permitted provided that sustainable considerations are met relating specifically to nine different aspects. Those relevant to the site will be addressed individually below.

Point 1 of policy 2 relates to:

‘size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses’

The interior layout of the building reflects a traditional family home, suitable for modern living. The size and layout is in keeping with the existing dwelling on site, as well as adjacent dwellings. The site plan also shows an expansive garden area, providing more than adequate amenity space.

The character and appearance of the area is distinguished by agricultural buildings and dwelling houses of a traditional style. As a result the proposal is in line with the character and appearance of the area in regard to architectural style and land use.

Point 2 of policy 2 relates to:

‘quality of design and orientation’

The proposal is in line with this due to the well-considered design of the dwelling, utilising quality materials, in keeping with those of adjacent dwellings. The orientation has also been considered, as other dwellings along Cheal road have their principle elevation facing the road. The proposal follows this trend.

Point 4 of policy 2 relates to:

‘access and vehicle generation levels’

The proposal does not vary the existing access to the site from the road and does not increase the levels of vehicles in the area or on the site when compared to the previous approved permission.

Point 5 of policy 2 states that the proposal consider

‘the capacity of existing community services and infrastructure’

The proposal will also not impact on community services and infrastructure any further than the existing permission would, which itself is minimal due to the existing approval being for a single dwelling.

Point 6 of policy 2 relates to

‘impact upon neighbouring land uses by reason of noise, odour, disturbance or visual intrusion’

The proposal will not have a negative impact upon neighbouring land uses by reason of noise, odour, disturbance or visual intrusion due to the proposal being for a single dwelling to replace an existing dwelling. As stated, the recent permission on site should be treated as an existing dwelling.

Point 8 of policy 2 states that considerations should be made in relation to the

‘impact or enhancement for areas of natural habitats and historical buildings and heritage assets’

The proposal will not negatively impact natural habitats or historical buildings/ heritage assets. In fact the proposed dwelling will enhance the setting of the nearby listed building (Cheal House).

The other point of policy 2 not discussed are not relevant to the proposal. As a result the proposal is in line with all the relevant points of policy 2.

Policy 3

Policy 3 of the SELLP relates to the design of new development.

The policy states that:

‘All development will create distinctive places through the use of high quality and inclusive design and layout and, where appropriate, make innovative use of local traditional styles and materials. Design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable.’

The proposal is in line with this point of the policy as it offers a high quality and inclusive design and layout. It also makes innovative use of traditional styles and materials through the inclusion of traditional vernacular materials.

The proposed design incorporates traditional styles and methods of construction appropriate to the local region, and improves the character and quality of the area.

It follows on to state that development proposals will demonstrate how certain issues will be secured.

Those that are relevant to the proposal are included below and assessed as to how the proposal mitigates or solves the potential issues.

‘the landscape character of the location;’

The proposal will respect the landscape character of the location through retaining a similar scale and ridge height of the neighbouring dwelling scale. As mentioned the design is in keeping with the character of its location.

‘the provision of facilities for the storage of refuse/recycling bins, storage and/or parking of bicycles and layout of car parking;’

The car parking layout is included on the site plan and shows an appropriate amount for the dwelling size.

‘residential amenity;’

The amenity space for the dwelling is more than adequate given the large site.

‘the incorporation of existing hedgerows and trees and the provision of appropriate new landscaping to enhance biodiversity, green infrastructure, flood risk mitigation and urban cooling;’

Although indicative at this stage, the site plan shows the retention, enhancement and addition to landscaping features on site.

Policy 22

Policy 22 refers to replacement dwellings in the countryside, for which this application proposes to replace an existing dwelling within the countryside.

The policy notes that replacement dwellings in this location will be permitted providing the following elements:

‘the residential use of the building to be replaced (the original building) has not been abandoned’

The residential use of the existing building has not been abandoned as due to the approved application ‘H13-1269-21’ the use is currently residential and no further application has been submitted to vary this.

‘the original building is permanent, has not become derelict and is not the result of a temporary permission’

The original building is also permanent, has not become derelict, due to the current use being residential and is not the result of a temporary permission.

‘the original building is not of architectural or historic merit and is not capable of repair’

The original building, although of an age, is not of historic merit. It is without special architectural features which would make it of high architectural merit.

‘the replacement building is of a high standard in terms of architectural detailing and materials of construction’

The proposed dwelling conversely has been designed to a high standard of architectural detailing, utilising materials common to its locality such as red brick. Flemish bond is also proposed for the brickwork which adds architectural interest and is a traditional brick bond, seen in the region. Full details relating to materials can be dealt with via a suitably worded condition.

‘the replacement building is positioned on a similar footprint to the original building unless it can be demonstrated that the re-positioning would have beneficial impacts such as improving the character and appearance of the site and its locality’

As mentioned, the building's footprint is proposed to be varied from the existing dwelling, however this has purely been proposed so as to improve the character and appearance of the site and its locality, since its new location, closer to and fronting the road, is in keeping with other dwellings close to the site.

'the replacement building does not exceed the floor area of the original dwelling by more than 40%, unless the development is of exceptional quality or innovative in nature in terms of its design, use of materials and levels of energy efficiency.'

The existing permission on site has a Gross Internal Area (GIA) of approx. 80m².

The current permission does not remove 'permitted development rights'. Through permitted development rights it could be further extended by approx. 53m². Through this route the total dwelling would be approx. 133m². An additional 40% of this would total 186m². The proposed dwelling is approx. 131m².

As a result the proposed dwelling would be within the allowed 40% increase on the existing conversion plus extension.

The home owner of the conversion would also benefit from permitted development rights. Therefore, could extend subject to complying with the permitted development or a home owner via a householder planning application.

FALLBACK POSITION

As referenced already, the extant permission on site to convert and extend the existing barn should be seen as the existing dwelling in this application. This is because it is established in law that permitted development rights can lawfully represent a 'fallback' position when alternative proposals are considered for development located on the same or similar site. Planning precedent for this was set by a case in Tonbridge and Malling (Case No: C1/2016/4488). Since then, many other applications to convert agricultural buildings have been re-applied for introducing a new, improved dwelling on site and have been approved. Therefore, we believe this application should also have this outcome.

PRE-APPLICATION ADVICE

We sought pre-application advice on this application and received a response on 22 March 2022. The response was positive and stated 'the proposed design is considered to be appropriate for the site'. The scheme has only undergone minor positive changes such as the addition of swift bricks at the eaves, as suggested by the officer. As a result, we believe in line with the positive pre-application response, permission should be granted. The full pre-application advice response can be found in the appendices of this document as appendix 1.

DESIGN

MATERIALS

This proposal utilises similar materials to that of the nearby Cheal House to be in keeping and sensitive to the local vernacular.

BUILDING FOOTPRINT

As mentioned, the location of the proposed dwelling's footprint differs from the existing dwelling. However this alteration was made so as to improve the site and reflect the layout of the adjacent site of Cheal House.

DESIGN AND MASSING

U-VALUES & AIRTIGHTNESS

U- Values assigned to a building element represent its ability to transmit heat from a warm space to a cold space within a building. The lower the value, the better insulated the element is.

With a new build it is much easier to create an airtight, well insulated dwelling and avoid issues which arise from not fully knowing the history of the building or original construction. A new build also provides the opportunity to specify all construction elements, enabling greater flexibility and opportunity for creating a well-insulated and sealed building.

The building regulations include different targets for existing buildings undergoing conversion and new build dwellings. This is because by the nature of a conversion, they are unable to achieve the same thermal efficiency as new dwellings.

Approved Document L1B: Conservation of fuel and power in existing dwellings outlines U-Value requirements for new thermal elements in existing buildings. These are shown below in table 1.

Table 1

Standards for New thermal Elements in Existing Buildings	
Element	Standard W/m ² K
Wall	0.28
Roof	0.16-0.18 (dependent on construction type)
Floors	0.22

Approved Document L1A: Conservation of fuel and power in new dwellings outlines U-Value requirements for new build dwellings based on a concurrent notional dwelling. These are shown below in table 2.

Table 2

Summary of concurrent notional dwelling specification	
Wall	0.18
Roof	0.13
Floor	0.13

Standards for Airtightness are also higher for new dwellings than existing as Approved Document L1A: Conservation of fuel and power in new dwellings states a required airtightness level of $5.0\text{m}^3/\text{h m}^2$. By comparison Approved Document L1B: Conservation of fuel and power in existing dwellings mentions airtightness and states the following:

'The building fabric should be constructed so that there are no reasonably avoidable thermal bridges in the insulation layers caused by gaps within the various elements such as those around window and door openings. Reasonable provision should also be made to reduce unwanted air leakage through the new envelope parts. The work should comply with all the requirements of schedule 1, but particular attention should be paid to parts F and J.'

It then follows on to state that 'it is impractical to expect thermal bridge and temperature factor calculations to work in existing buildings'.

Therefore the building regulations acknowledge that converted existing buildings can never be expected to achieve the same levels of thermal efficiency as new build dwellings. As a result by the nature of the proposal being a new build rather than a conversion, it is already an improvement on the site in regard to thermal efficiency.

CONCLUSION

To conclude, the proposal seeks to provide a better alternative to converting and extending the existing barn on the site through improvements to aesthetics, both in regard to the materials and design of the new dwelling, but also through its relocation on site, more in keeping with surrounding dwellings.

The proposed new build will also enable the dwelling to be more efficiently run, make more efficient use of resources and be more resilient to any impact caused by climate change.

The proposal is also in line with the precedent discussed within the district which was granted permission, therefore the proposal should be seen in the same light.

As a result, the application should be recommended for approval as it offers great overall benefit in comparison to the approved scheme.

APPENDICES

APPENDIX 1 – PRE-APPLICATION RESPONSE



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22nd March 2022

Dear Sir/Madam

PLANNING: PRE-APPLICATION ADVICE

Reference: PE-00075-22 Case Officer: David Grant
Location: Comer Of Cheal Road / Saltfleet Lane Gosberton Fen Spalding
Proposal: Proposed replacement dwelling.

Thank you for your enquiry. I apologise for the delay in my response.

The proposed design is considered to be appropriate for the site. As shown in the submitted information, precedents have been set both nationally and locally with regard to "betterment" dwellings on site.

Should the proposed "replacement" dwelling be approved then a condition would be added to the decision notice to ensure that all outbuildings on site are demolished and cleared from the site prior to first occupation of the dwelling.

If you have any further questions then please do not hesitate to contact me.

This planning advice is given in good faith but is an officer opinion only and therefore is not binding on any formal decision the Council may make following the receipt of a planning application.

BUILDING REGULATIONS

The works that you are proposing may also require Building Regulations and this informal advice or any subsequent planning permission does not give authority under Building Regulations to commence work. Please contact the Building Control section for further information on 01775 764557

Yours faithfully

A handwritten signature in black ink, appearing to read "D Grant".

