



DESIGN AND ACCESS STATEMENT

**PROPOSED CHALET BUNGALOW INVOLVING
THE DEMOLITION OF EXISTING BUILDING**

AT

**98 DOG DROVE NORTH
HOLBEACH DROVE
SPALDING
PE12 0SA**

FOR

MS C HOLMES

Job No. SE-2185

November 2024

1.0 INTRODUCTION

This Design and Access Statement supports the full planning application for residential development. The application is for the erection of a single Chalet Bungalow involving the demolition of the existing agricultural building benefiting from a Class Q approval under reference: H09-0420-24. The application site is located at 98 Dog Drove North, Holbeach Drove, Spalding.

2.0 CONTEXT & PROPOSAL

2.1 SITE CONTEXT

The application site is located at 98 Dog Drove North, Holbeach Drove on the western side of the highway. The site currently accommodates an agricultural building that benefits from a Class Q approval under reference: H09-0420-24

There is agricultural land to the north of the site and existing agricultural buildings to the west.

The site is positioned within Flood Zone 1 of the Environment Agency Flood Maps for Planning.

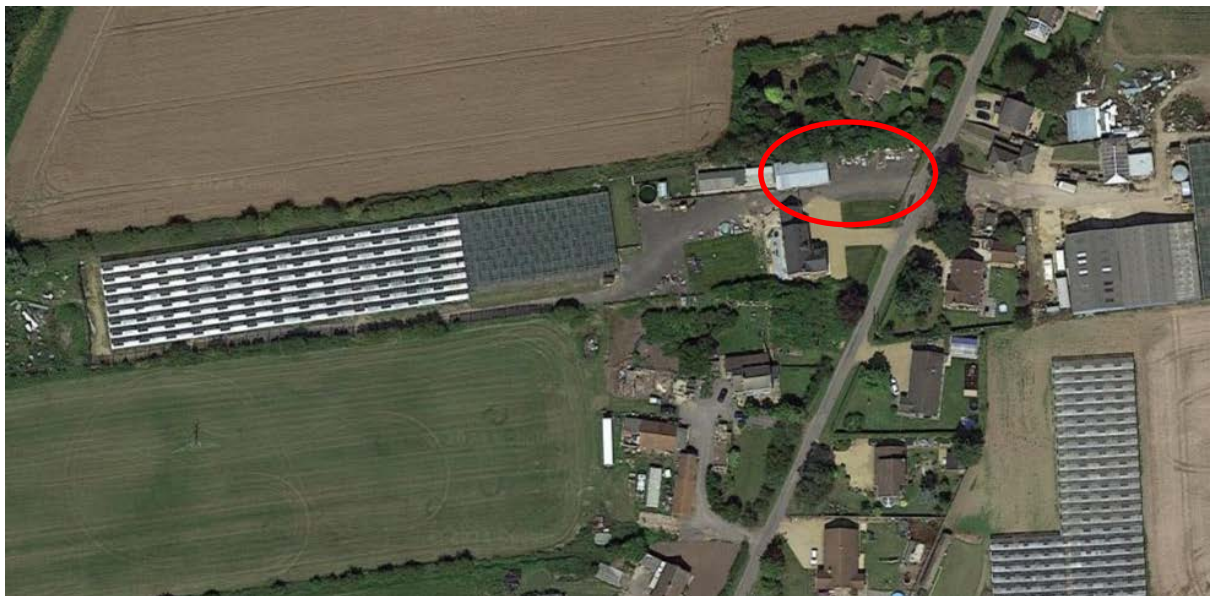


Figure 1: Aerial photograph



Figure 2: Extract from Environment Agency Flood Maps for Planning

2.2 HISTORY

H09-0420-24 – Proposed barn conversion into residential dwelling – Granted 30/07/24.

Prior approval under Class Q, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 was granted under the above reference number. The proposal was to change the use of the existing buildings on site from agricultural to a single dwelling.

2.3 BACKGROUND

Given that the building in question benefits from Class Q permitted development rights to be converted into a single dwelling (reference: H09-0420-24), it is acknowledged that a fall-back position of residential development exists which is a material planning consideration in any future planning submission for the extent of the approval's lifetime.

2.4 PROPOSAL

Following the approval of H09-0420-24, the proposal is for the demolition of the existing barn and respective replacement of a chalet bungalow. The dwelling has been designed with the immediate surroundings in mind and will not cause any harm as a result.

The dwelling is small in scale and has been positioned towards the site frontage resulting in a betterment to the street scene. This position has been determined to not cause any overbearing issues. The chalet bungalow pays respect to the neighbouring dwellings and acts as a step in the street scene as to the west is a two-storey dwelling and to the east is a bungalow. Windows have been carefully positioned to not cause any overlooking issues and rooflights have been used where deemed a window would be inappropriate to the neighbour's privacy.

The proposal would be accessed from a separate access to that of No. 94 and offers a betterment to highway safety as it would limit the number of vehicular movements to and from site to that of a typical household compared to that of an agricultural barn which has an unlimited amount.

2.5 PRINCIPLE

The Court of Appeal in *Mansell v Tonbridge and Malling Borough Council* [2017] EWCA Civ 1314 confirmed that development under Class Q of the GDPO is a fallback position ie that it is a material consideration for planning applications that permitted development rights under Class Q can be exercised. It confirmed that the fallback position can be given material weight in determining subsequent planning applications.

In order for a fallback position to be realised, the development must be ‘real prospect’ and it was confirmed that Class Q permitted development rights constitute a real prospect. With this in mind, the development approved under H09-0420-24 is a material planning consideration and should be considered as a fallback position in the consideration of any subsequent applications. On the basis of the above, the single dwelling can be developed under H09-0420-24 and that the barn in question is not within a Conservation Area or a Listed Building (which is a requirement of Class Q) the principle of the erection of the chalet bungalow involving the demolition of existing buildings is acceptable.

2.6 FLOOD RISK

Section 14 of the NPPF requires a sequential approach, directing new development to land at lowest risk of flooding in the first instance unless it can be demonstrated that no land is available to accommodate the proposal. The application site is located within Flood Zone 1 and therefore the principle of development, in terms of flood risk, is acceptable.



Figure 3: Extract from Environment Agency Flood Maps for Planning

3.0 DESIGN

3.1 USE & AMOUNT

The proposal is for the erection of a single dwelling involving the demolition of the existing agricultural building. Given the fallback position of H09-0420-24, the proposed use and number of units is acceptable.

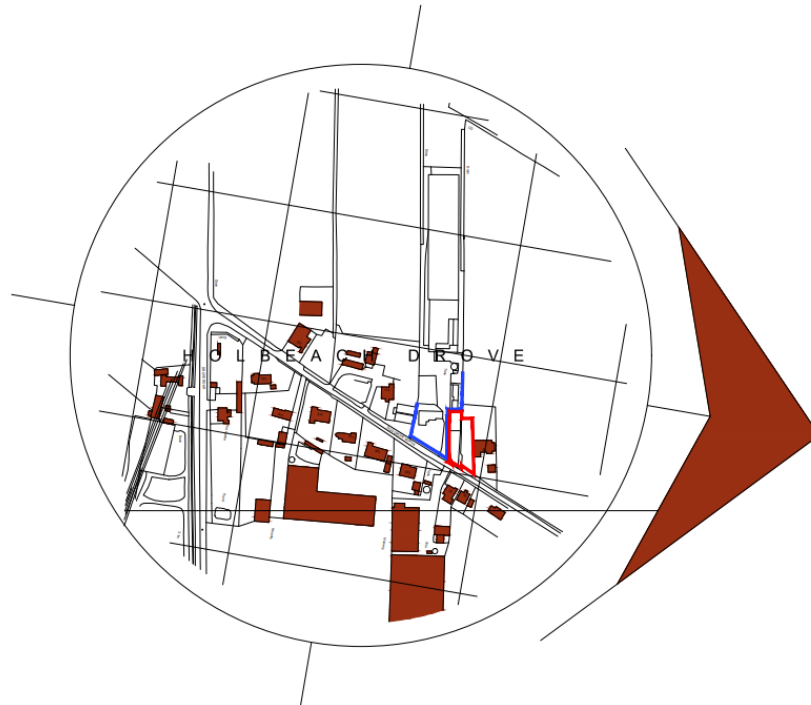


Figure 4: Location Plan

3.2 LAYOUT, SCALE AND APPEARANCE

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The dwelling is small in scale and has been positioned towards the site frontage resulting in a betterment to the street scene. This position has been determined to not cause any overbearing issues. The chalet bungalow pays respect to the neighbouring dwellings and acts as a step in the street scene as to the west is a two-storey dwelling and to the east is a bungalow. Windows have been carefully positioned to not cause any overlooking issues and rooflights have been used where deemed a window would be inappropriate to the neighbour's privacy.

The proposal would be accessed from a separate driveway to that of No. 94 and offers a betterment to highway safety as it would limit the number of vehicular movements to and from site to that of a typical household compared to that of an agricultural barn which has an unlimited amount.

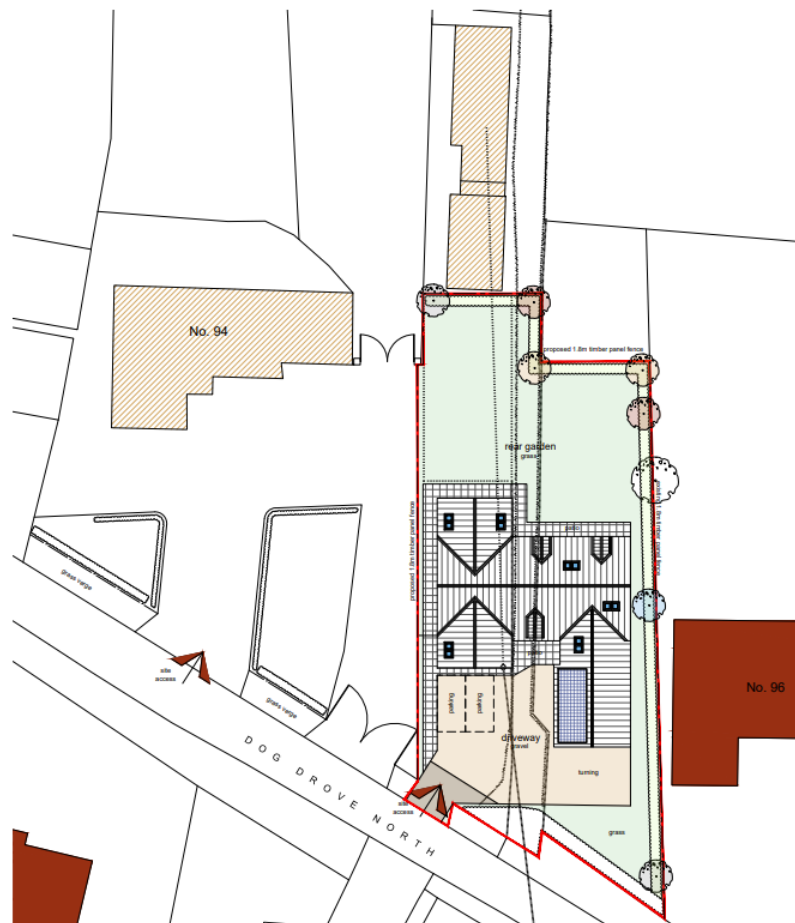


Figure 5: Proposed site plan

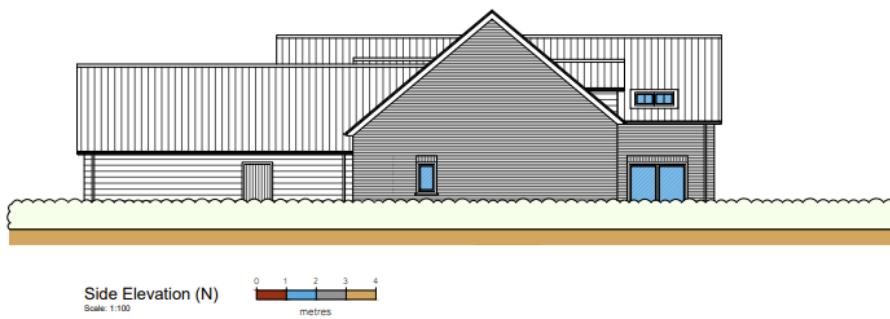
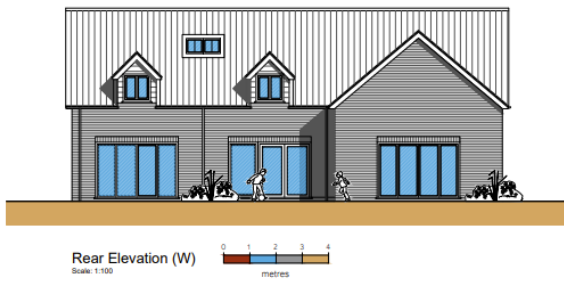
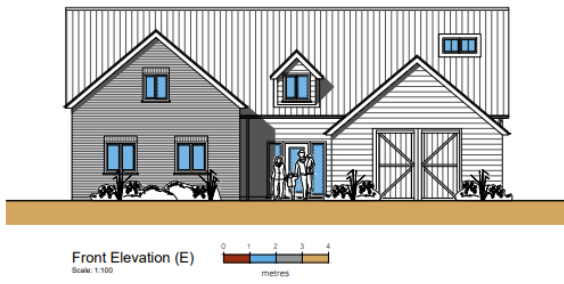


Figure 6: Elevations

3.3 LANDSCAPING

The proposal includes landscaping positioned along the site boundaries which will be to the visual benefit of the future residents and the character of the area. Bio-diversity Net Gain has been calculated and incorporated into the plans to ensure an acceptable net gain has been achieved.

4.0 ACCESS

4.1 LOCATION

Section 9 of the NPPF requires a choice of sustainable modes of transport in order to reduce the reliance on the use of private motor vehicles. The principle of residential use is already established under H09-0420-24 and therefore it is inevitable that there will be residents on this site. With this in mind, a refusal on the grounds of sustainability in terms of transport options could not be upheld and it is deemed that the proposal is acceptable.

4.2 SITE ACCESS

A separate access is proposed on the site frontage and there is scope within the site to enable vehicles to turn so that they enter and exit the site in forward gear. Appropriate parking has been provided and due to the nature of the proposal, vehicular movements will be reduced as a result of the proposal going ahead.

There is good visibility along Dog Drove North and therefore the site can be accessed safely.

5.0 CONCLUSION

The proposal is for the erection of a single dwelling involving the demolition of the existing agricultural building. The site benefits from extant prior approval permission for the conversion of the existing buildings to form a dwelling under Class Q, Part 3, Schedule 2 of the General Permitted Development Order. In accordance with *Mansell v Tonbridge and Malling Borough Council* [2017] EWCA Civ 1314 the prior approval application is a fallback position and therefore a material planning consideration which should be afforded weight. The existing building is not a listed building, and the site is not within a Conservation area and therefore no harm is caused by replacement of this building. With this in mind, the principle of the proposal is acceptable.

The design of the proposal is appropriate to the character of the area and the scale will result in a more aesthetic development.

The proposal is within Flood Zone 1 and is therefore in a sustainable and sequentially preferable location.

It is submitted that the proposal complies with the relevant case law and with Local Plan policies in relation to design, layout, residential amenities and highways. It is therefore respectfully requested that planning permission is granted.