

PLANNING STATEMENT



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PROPOSED CHANGE OF USE OF AGRICULTURAL BUILDING TO C3 DWELLINGHOUSE (Prior Approval, Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) Order 2015).

at

**BROADWATER FARMYARD
BROADWATER LANE
MOULTON
SPALDING
LINCOLNSHIRE
PE12 0XX**

For

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PRIOR APPROVAL SUBMISSION ISSUE

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1.0 Introduction

Proposal details

This application is a Prior Approval Notification for the proposed change of use of an agricultural building to a dwellinghouse under the Town and Country Planning (General Permitted Development)(England) Order 2015, Schedule 2, Part 3, Class Q. The application seeks to demonstrate that the proposal is compliant with all aspects of the regulations.

2.0 Location

Location:

The site is located on the south side of Broadwater Lane (B1165), at the west end, close to the junction with Fen Gate and Hall Gate. It is located approximately 2500m ESE of the crossroads in Weston Hills, and 3000m NNE of Moulton Chapel.

Location references for the site are as follows:

Grid ref: TF 30810 20924
Easting / northing: 530810, 320924
Long / Lat: 52.770072, -0.0625061
What3Words: sectors.marsh.economics
Postal address: Broadwater Farm, Broadwater Lane, Moulton, Spalding.
Postcode (nearest): PE12 0XX

Refer to drawing A1623 – 01 for the location and extent of the site.



Fig. 1 Agricultural building viewed from north-east.



Fig. 2 Agricultural building interior showing timber structure.

3. Context

Site and surrounding area

The site is located in a rural setting, surrounded mostly by fields in agricultural use. Development in the vicinity is very dispersed, typical of this area of the Fens. The dominant land use in all directions is agriculture, with fields generally in excess of 10 acres in area. The site is located on the east bank of the Moulton River, on the south edge of Broadwater Lane. There is an agricultural shed to the north and 3 dwellings to the north and west, though all are at least 100m from this agricultural building.

The existing building is a single storey, 20th Century agricultural shed (figs. 01 & 02). The shed comprises 4 structural bays, with timber columns and scissor trusses between

each and with timber gable frames to either end. Between the main frames span timber cladding rails and substantial timber purlins. The building has corrugated iron cladding to all elevations. The roof is finished with corrugated cladding sheets and features 4 translucent panels in each roof slope. The building has an earth floor. At the north end there is a lean-to structure with enclosed sides. The internal floor area of the whole building including the lean-to is approximately 299m². The building is in good overall condition with no significant damage. It is an example of an early agricultural building designed and erected by English Brothers of Wisbech. The anticipated decade of construction is 1950 to 1970. The building was originally constructed for agricultural use, and as shall be seen later in this report, replaced an earlier structure on the same site. The building was most recently used for general agricultural storage.

The building is located off Broadwater Lane. There is an agricultural shed on the opposite side of Broadwater Lane, approximately 110m north of the site (fig. 03). There are 3 dwellings, all located approximately 100m or so away from the site, all to the north-west and west of the site. There are no other buildings within 250m of the site.

There is a thicket at the north end of the site where it abuts Broadwater Lane, and further trees towards the Hall Gate to Fen Gate junction. Aside from these, the surroundings are generally flat and feature limited tree growth.



Fig. 3 Aerial image of the site from the south-east.

Access to the site:
Vehicular and pedestrian access to the site already exists and is directly from Broadwater Lane (Fig. 04).

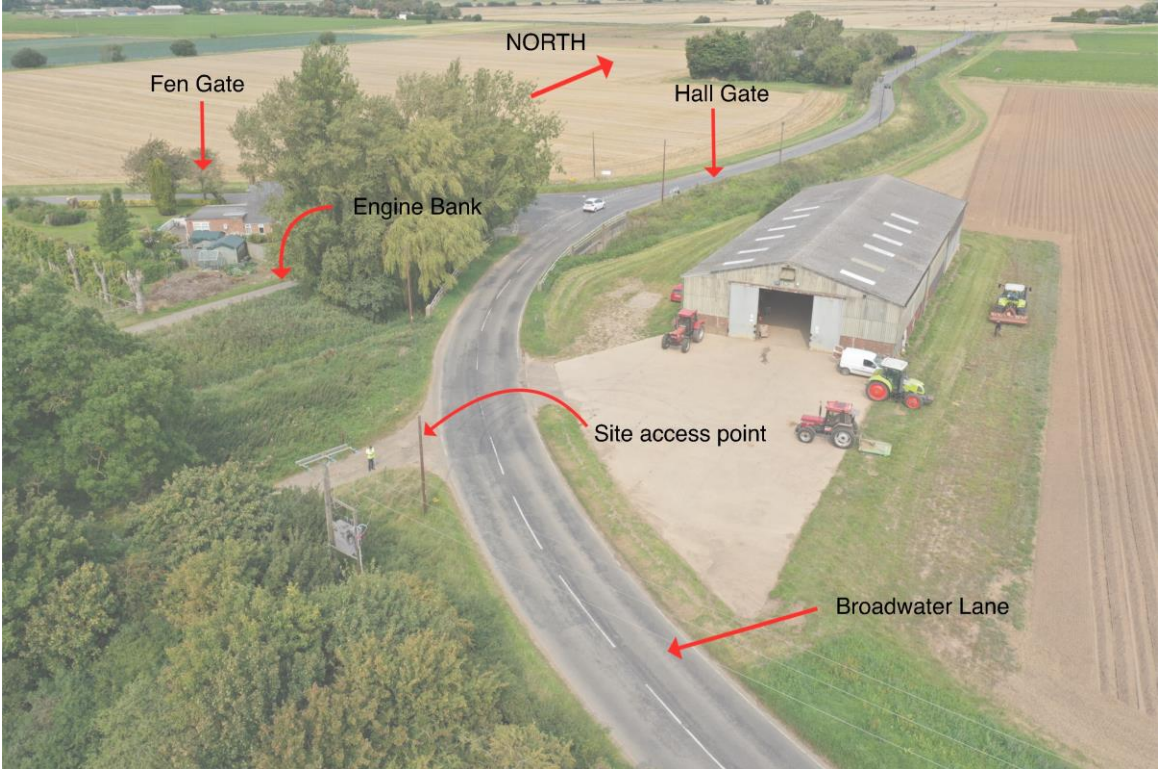


Fig. 4 Aerial image of the site access viewed from the south-east.

The access point is at a location where the road bends and consequently there is good visibility in both directions (Figs. 05 & 06).



Fig. 5 View from access to Broadwater Lane looking NW.



Fig. 6 View from access to Broadwater Lane looking E.

Use and development:

The site comprises an agricultural building together with a small area of land that runs up to the south edge of Broadwater Lane. The land is currently overgrown, though the access track to the building and the field beyond remains clearly visible.

4. Site History, Archive Research and Planning History

Site History:

Historic map study:

The following maps and aerial images illustrate how development and use of the site has evolved since the late 19th Century.

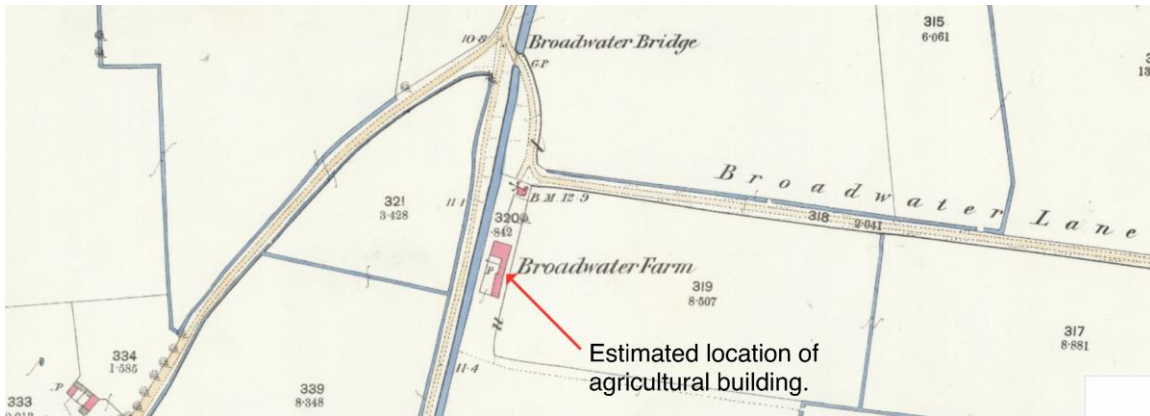


Fig. 7 Ordnance Survey map of 1887

The 1887 map shows the property known as 'Broadwater Farm'. At that time there is a building adjacent Broadwater Lane, which is believed to have been a small cottage. On the site of the existing barn there is a main block at the north end, with a narrow range projecting south, with what looks like an enclosed yard on the west side. These could have been brick buildings, possibly comprising a main barn with stables or cattle shelters etc. The surrounding area is undeveloped land, presumed to be in agricultural use. The agricultural shed to the north of Broadwater Lane, and the dwellings north-west and west of the site do not exist at this date.

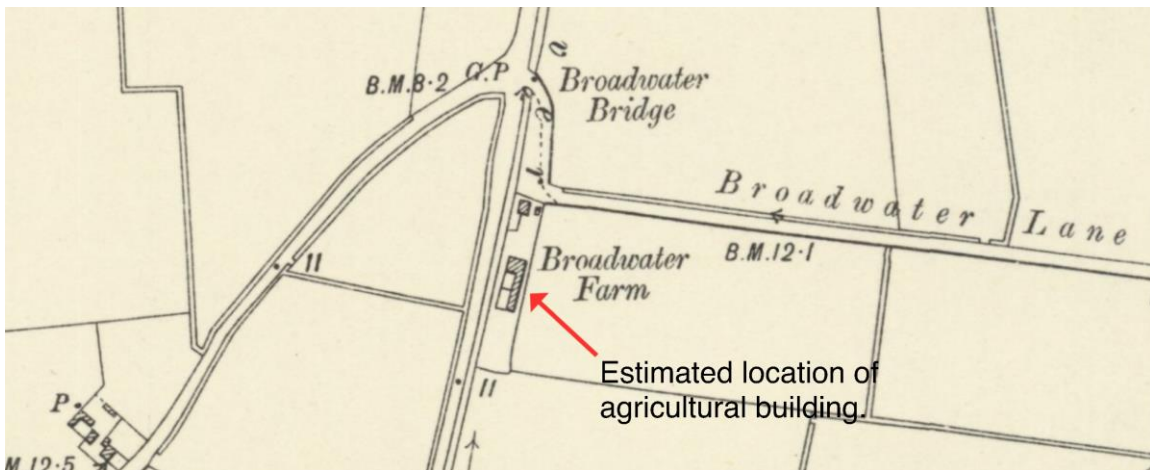


Fig. 8 Ordnance Survey map of 1903

The 1903 map shows two buildings at the entrance to the site, the one shown in the 1887 map plus another on the west side of the access track, possibly a larger, replacement dwelling. There is no detail to indicate what this additional building might be. The building in the location of the existing barn remains largely as shown in 1887. The site still has the title 'Broadwater Farm'. There is still no further development north or north-west of the site.

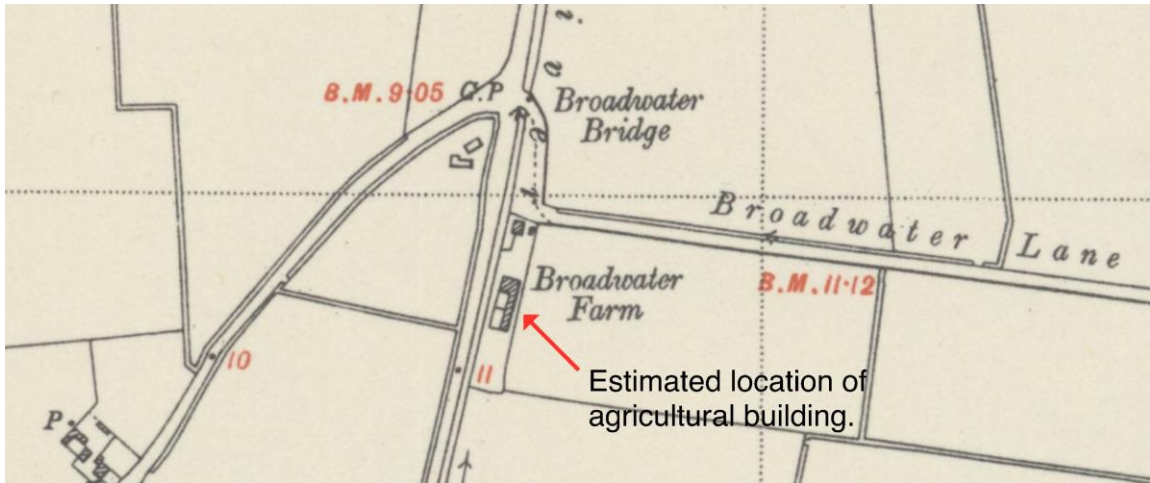


Fig. 9 Ordnance Survey map of 1938

The 1938 map shows the same details for this site as the 1903 edition. It is noted that additional buildings are now present on the west side of Engine Bank, north-west of this site.

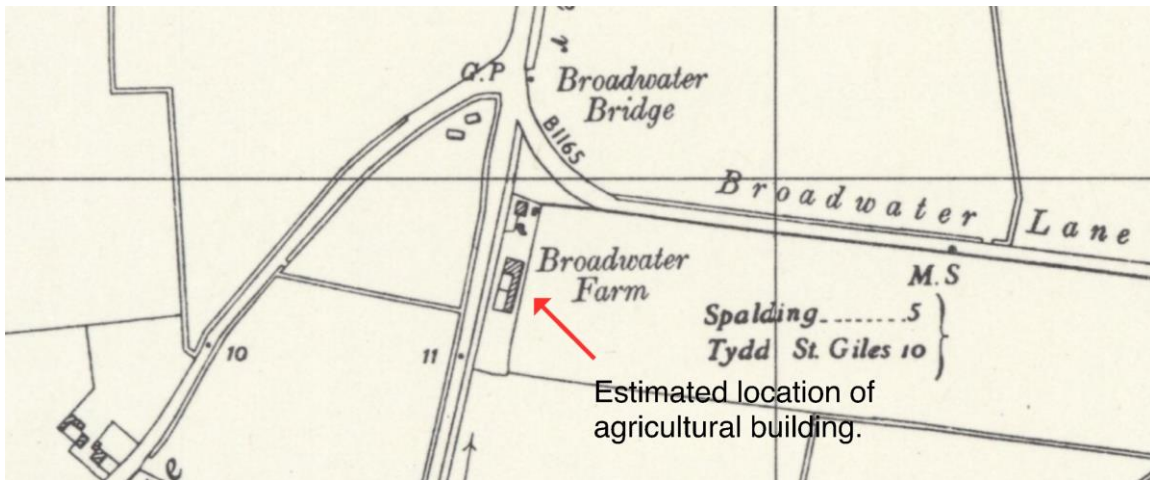


Fig. 10 Ordnance Survey surveyed from pre-1930, published 1958

This map, published in 1958 shows similar detail on the site as that dating from 1938. It is however noted that there is a further small structure behind the block on the west side of the road frontage. In addition, the line of Broadwater Road appears to have been altered to provide a gentler curve.

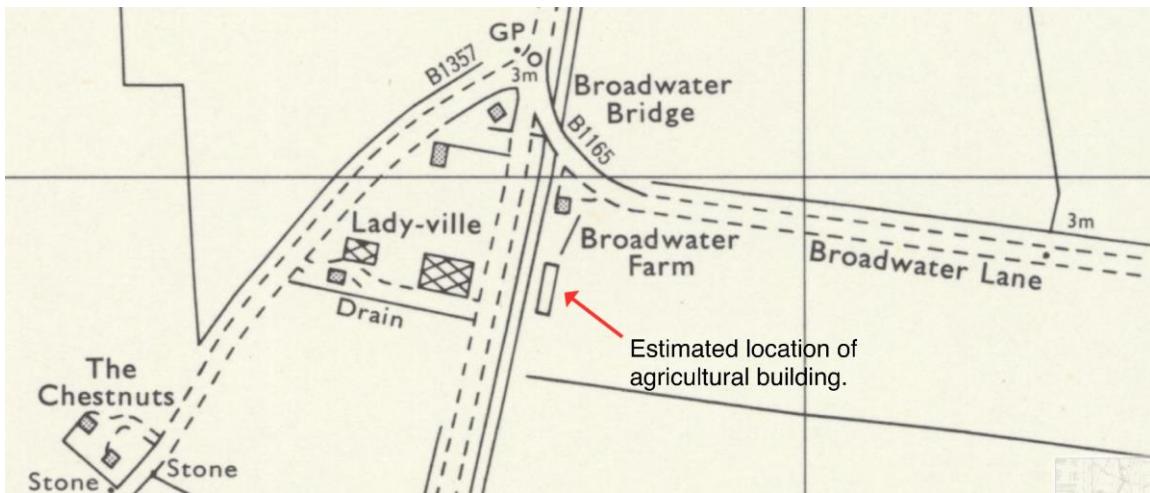


Fig. 11 Ordnance Survey map of 1971

The 1971 map is at smaller scale than some of its predecessors and consequently there is less detail. Buildings are depicted as rectangles rather than reflecting actual footprint shape. Consequently, it is not easy to accurately interpret changes that may have occurred. To the west of the site, a further residence 'Lady-Ville' is now recorded on the map and appears to have glasshouses along its south side. There is a further block north of this, which again appears to be a separate residence. The three small structures at the north end of the barn site now appear as a single block, though whether this accurately reflects development on site cannot be concluded. The site of the existing barn now shows a simple rectangle. This could indicate that the earlier barn and range has been demolished in favour of a simpler structure, though there is no further evidence to corroborate this.



Fig. 12 Aerial photo from approximately 1999

The 1999 image shows the barn as it exists in 2023. The agricultural shed to the north of Broadwater Lane is now evident, as are the dwellings west of Engine Bank. 'Lady-Ville' now has a larger expanse of glass houses, again west of the Moulton River.



Fig. 13 Aerial photo from approximately 2004

The 2004 image is largely the same as that from 1999 except that some of the glasshouses at 'Lady-Ville' appear to have been removed. The proposed development site is unchanged.



Fig. 14 Aerial photo from approximately 2020

The 2020 image is largely the same as that from 2004 except that the agricultural use of 'Lady-Ville' appears to have reduced, with a large area now used for grazing animals. The proposed development site is unchanged.

The maps and images reviewed in this study confirm that the site was in use for agricultural purposes from at least as early as 1887. At that time there was no further development on land surrounding the site, only Broadwater Farm existed. There was originally a barn and possibly attached range and yard as early as 1887 and this remained in place until the mid 20th Century. Possibly around 1950 or soon afterward the existing structure appears to have been demolished to make way for the existing timber-framed barn. At the north end of the site there was further development, albeit at smaller scale. This appears to have been added to during the first decades of the 20th Century. These buildings are believed to have been demolished, possibly after 1950. The site has been in agricultural use since before 1887 and this use appears to have continued until very recently. There appears to have been no other use of this site.

Archive Research:

(Courtesy of Jonathan Biggadike PG Dip LA CMLI Chartered Landscape Architect & Historic Building Consultant)

The online search for Broadwater Lane of the Heritage Gateway was based on a 500 m radius from the application site. The results are summarised below:

Statutory Data

The National Heritage List for England - 1 entry.

National Designation Decisions.

National Designation Decisions Designation Decision Records (deleted) – None.

Designation Decision Records (non-designated entries) – None.

Non-Statutory National Data

Historic Milestone Society Database – 1 entry.

National Trust – None.

Historic England Research Records - 1 entry.

English Heritage Pastscape – None.

National Trust Historic Buildings SMR – None.

Parks & Gardens UK – None.

PMSA - An error occurred.

NMR Excavation Index – 1 entry.

Church Heritage Record – No records matched.

Local Records

Lincolnshire HER – 5 results.

National Image Collections

Images of England - No records matched.

Viewfinder - None.

The National Heritage List for England has one entry for a scheduled monument. The scheduled monument is the mediaeval moat located in an area known as Kings Hall Park. It is all that remains of what was thought to be a fortified manor house belonging to the Multon family. It is located approximately 500 m to the north-east of the application site. For ease of reference the list description for the monument is included in the appendices.

The Historic Milestone Society Database contained a single entry for a 19th-century cast-iron milestone in the verge, on the south side of Austendyke Road (B1165).

The Historic England Research Records includes records about archaeological sites, historic buildings, historic aircraft crash sites and marine heritage recorded by Historic England. These records will ultimately be transferred to the relevant local authority Historic Environment Record (HER), after which they will be retrieved as part of the HER's search results. The single entry is also for the scheduled mediaeval moat (monument number 353789). This record is also included in the appendices.

The Public Monuments and Sculpture Association (PMSA) record stated that an error had occurred. This is a regular flaw with an HER search. A subsequent online search of the home page (www.pmsa.org.uk) resulted in no entries for the area in the National Recording Project.

The National Monuments Record (NMR) Excavation Index (EI) is a guide to the archaeological excavations and interventions carried out in England since the earliest days of scientific archaeology and an index to the location of the excavation archives and finds. The single entry is for a magnetometer survey from 1991 at Rectory Farm, to the east of the site, halfway along Broadwater Lane. The report identified a complex of archaeological features and is available on the Archaeological Data Service (ADS).

The Lincolnshire Historic Environment Record (HER) is the record of known archaeological sites and historic buildings in the county. It is a digital database supported by an extensive collection of physical material. The 5 records include Broadwater Farm to the north of the application site as well as the Chestnuts and Vickers Farm to the south-west. All 3 are identified as partially extant 19th-century farmsteads. The other 2 entries relate to the scheduled ancient monuments and archaeological evidence discovered just beyond the remit of the designated assets. A schedule of the results together with the entry for Broadwater Farm are included in the appendices.

Planning History:

A search of the planning applications on the SHDC website did not reveal any planning applications either on this site or on abutting land.

5. Architectural Appraisal

The agricultural building is typical of the type erected by English Brothers of Wisbech. The name plate on the end of the building is believed to date the structure as around 1950 to 1970.

The barn is substantial and robust, comprising a framework of timber columns at approximately 4.5m centres, supporting timber scissor-trusses. Timber cladding rails and purlins span between the main structural frames. Timber gable frames at the north and south form the ends of the main building. The building comprises 4 structural bays in total. Beyond the north gable is a simple lean-to structure which is enclosed on its east and west faces and open from the north. This lean-to spans the full width of the building and comprises 3 structural bays.

Externally, the building walls are formed by single skin, corrugated iron cladding with a painted finish. The roof is finished with corrugated sheets, with 4 translucent panels to each slope. Rainwater goods appear to be of asbestos or cement fibre construction.

The building has a metered mains electricity supply, which enters at the north-east corner of the building beneath the lean-to.

The land surrounding the building is generally grass covered, though there are chippings to the access point from Broadwater Lane. The access track skirts along the west side of the site, along the east side of Moulton River. There is a heap of debris at the north-west corner of the site. This is believed to be residual building materials resulting from the demolition of the former dwelling that was located at this end of the site.

6. Permitted Development (Class Q) – Statement of Case

The following text seeks to address each element of the Class Q assessment and sets out to provide evidence in support of the application. The Council is respectfully asked to consider the statute and accompanying case law in order to determine whether or not the proposal complies with the provisions of Class Q of Part 3 to Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development Order) 2015 (as amended).

The requirements of this legislation are set out below:

The Order

The Order defines the following:

Permitted development is as follows:

- Q. Development consisting of:
- a. A change of use of a building and any land within its curtilage from a use as an agricultural building to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order.
 - b. Development referred to in paragraph (a) together with building operations reasonably necessary to convert the building referred to in paragraph (a) to a use falling within Class C3 (dwellinghouse) of that Schedule.

Development not permitted:

- Q1. Development is not permitted by Class Q if:
- a. The site was not used solely for an agricultural 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.
 - b. In the case of –
 - i. A larger dwellinghouse, within an established agricultural unit –
 - (aa) the cumulative number of separate larger dwellinghouses developed under 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 square meters;
 - Ba. The floor space of any new dwellinghouse developed under Class Q having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order exceeds 465 square meters;
 - 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 exceeds 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 100 square meters.
- d. 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 square meters 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;
- e. The site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained.
- 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;
- g. Development under Class A(a) or Class B(b) of Part 6 of this Schedule (agricultural buildings and 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;
- 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;
- 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,
 To the extent reasonably necessary for the building to function as a dwellinghouse; and
 - ii. partial demolition to the extent reasonably necessary to carry out building operations allowed by paragraph Q.1 (i)(i);
- j. The site is on article 2(3) land;
- 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;
- l. The site is, or contains, a scheduled ancient monument; or

- m. The building is a listed building.

Conditions

Q2 – (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,
- (b) Noise impacts of the development,
- (c) Contamination risks of the site,
- (d) Flooding risks of the site,
- (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 under Class C3 (dwellinghouses) of the Schedule to the Use Classes Order,
- (f) The design and external appearance of the building,
- (g) The provision of adequate natural daylight in all habitable rooms of the dwellinghouse.

And the provisions of paragraph W (prior approval) of this Part apply in relation to that application.

Q2 – (2) where the development proposed is development under Class Q(a) only, 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 the items referred to in sub-paragraphs (1)(a) to (e) and (g) and the provisions of paragraph W (prior approval) of the Part apply in relation to that application.

Q2 – (3) development under Class Q is permitted subject to the condition that development under Class Q(a) and under Class Q(b), if any, must be completed within a period of 3 years starting with the prior approval date.

7. Assessment of compliance with all parts of the requirements:

Development permitted (the order states that the following development is permitted):

Class Q (a)

The proposal is for the change of use of a building and any land within its curtilage from a use as an agricultural building to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order.

The proposal is to change an established agricultural building to a dwellinghouse, and so is relevant and compliant.

Class Q (b)

The development referred to in paragraph (a) together with building operations reasonably necessary to convert the building referred to in paragraph (a) to a use falling within Class C3 (dwellinghouse) of that Schedule.

The proposal accords with Q(a) and requires only building operations necessary to convert the building to a use falling within Class C3 (dwellinghouses) of the schedule, therefore this is again relevant and compliant with Q (b).

Development not permitted (the order states that the following development is not permitted)

Development is **not permitted** under Class Q if:

Q1 ai The site was not in use solely for an agricultural use as part of an established agricultural unit on 20th March 2013.

The site was solely in use as part of an established agricultural unit on 20th March 2013 and this use continued until it was sold in around 2020. The building has not been in use since this date.

Q1 ai is therefore satisfied.

Q1 aii is not relevant because Q1 ai is satisfied.

Q1 aiii is not relevant because Q1 ai is satisfied.

Q1 bi (aa):

in the case of a larger dwellinghouse, within an established agricultural unit the cumulative number of separate larger dwellinghouses developed under Class Q exceeds 3;

The proposal results in only 1 dwellinghouse and therefore does not exceed the threshold of 3.

Q1 bi (aa) is therefore satisfied.

Q1 bi (bb):

In the case of a larger dwellinghouse, within an established agricultural unit the cumulative floor space of the existing building or buildings changing use to a larger dwellinghouse or dwellinghouses under Class Q exceeds 465 square meters;

The floor space of the existing agricultural building is 299 square meters and therefore the threshold of 465 square meters is not exceeded.

Q1 bi (bb) is therefore satisfied.

Q1 ba:

The floor space of any new dwellinghouse developed under Class Q having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order exceeds 465 square meters;

The floor space of the existing building is 299 square meters, and the proposal does not extend beyond the existing floorspace. The proposal is for a single dwelling and is therefore less than the 465 square meter threshold.

Q1 ba is therefore satisfied.

Q1 c Smaller dwellinghouses

(aa) In the case of a smaller dwellinghouse, within an established agricultural unit the cumulative number of separate dwellinghouses developed under Class Q exceeds 5.

The proposal is not for smaller dwellinghouses, therefore clause Q1 c (aa) is not relevant in this case.

(bb) In the case of a smaller dwellinghouse, within an established agricultural unit 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 100 square meters.

The proposal is not for smaller dwellinghouses, therefore clause Q1 c (bb) is not relevant in this case.

Q1 d i:

The development under Class Q (together with any previous development under Class Q) within an established agricultural unit would result in a larger dwellinghouse or larger dwellinghouses having more than 465 square meters of floor space having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order.

As previously indicated, the existing floorspace is 299 square meters and the proposal will not exceed this, therefore the 465 square meter threshold is not exceeded.

Q1 di is therefore satisfied.

Q1 d ii:

The development under Class Q (together with any previous development under Class Q) within an established agricultural unit would result in the cumulative number of separate dwellinghouses having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order exceeding 5;

The proposal is for 1 dwellinghouse, therefore the threshold of 5 is not exceeded.

Q1 d ii is therefore satisfied.

Q1 e:

The site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained.

The site is not occupied under a tenancy agreement.

Q1 e is therefore satisfied.

Q1 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;

No agricultural tenancy was terminated in respect of this site. The previous owner of the building utilized it until it was sold directly to the current owner.

Q1 f is therefore satisfied.

Q1 g:

Development under Class A(a) or Class B(b) of Part 6 of this Schedule (agricultural buildings and 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;

No development under Class A (a) or Class B(b) of Part 6 of this schedule has been carried out on this established agricultural unit.

Q1 g is therefore satisfied.

Q1 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;

The development would not result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point. The proposal drawings prove that this is the case, the external dimensions of the proposed building are the same as on the existing building.

Q1 h is therefore satisfied.

Q1 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,

to the extent reasonably necessary for the building to function as a dwellinghouse; and

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

Externally the conversion works will only require the installation / replacement of windows, doors, roofs and exterior walls. A structural report accompanies this application and provides the relevant details in terms of structural suitability.

The development would also require building operations to allow services necessary for the building to function as a dwellinghouse as allowed by this criterion.

Clearly the conversion works will require some building works internally, in this respect the website <https://www.gov.uk/guidance/when-is-permission-required> provides the following guidance:

'Internal works are not generally development. For the building to function as a dwelling it may be appropriate to undertake internal structural works, including to allow for a floor, the insertion of a mezzanine or upper floors within the overall residential floor space permitted, or internal walls, which are not prohibited by Class Q.'

Paragraph: 105 Reference ID: 13-105020180615

The above has been reinforced by approvals granted by SHDC for Class Q Prior Approval Notification applications where the works included internal partitions, mezzanine floor and internal intermediate floors. Examples are:

H16-0324-21 South Drove North, Spalding.

H12-0776-21 Luton Garnsgate, Long Sutton.

H14-0359-23 Black Hole Drove, West Pinchbeck.

The works proposed in this current application are therefore believed to accord entirely with the permitted list and in no way extend beyond it.

Q1 i is therefore satisfied.

Q1 j:

The site is on article 2(3) land.

The site is not on article 2 (3) land.

Q1 j is therefore satisfied.

Q1 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;

The proposal site is not a site of specialist scientific interest, nor a safety hazard area, nor a military explosives storage area.

Q1 k is therefore satisfied.

Q1 l:

The site is, or contains, a scheduled ancient monument;

The site is not a scheduled ancient monument, neither does it contain one.

Q1 l is therefore satisfied.

Q1 m:

The building is a listed building.

The building is not a listed building.

Q1 m is therefore satisfied.

Conditions:

Q2 – (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,

The existing access to the site is via Broadwater Lane. This can be used without any changes to serve the dwelling. Appropriate parking provision for a single dwelling can be achieved on site.

The change in use from agricultural to residential will not result in any material issues regarding highways or transportation, given the existing use and the traffic generation associated with the agricultural use. The change of use will not require any alterations to Broadwater Lane and any traffic generated will not compromise highway safety. Visibility along Broadwater Lane from the site access point is very good in both directions.

(b) Noise impacts of the development,

The site does not sit in close proximity to any significant noise generating sources. As such there will be no issues of compatibility from the perspective of residential use. There are other residential properties around the site, but these are all at least 100m from this building. Therefore, the conversion of the building from agricultural to residential will be compatible in this location.

(c) Contamination risks of the site

The site has been in agricultural use since at least as early as 1887. The current building is agricultural, and this has been the case since its construction which is believed to have been between 1950 and 1970. The site has not been used for the storage of

fuel or any hazardous substances or materials and it has not been occupied for hazardous processes.

As indicated previously within this report in the site history section, prior to the construction of the building the site was in agricultural use as least as far back as the 19th Century. It has not previously been developed.

It is suspected that the roof covering may be constructed of Asbestos Containing Materials (ACM). Consequently, prior to the disturbing of any such materials a Refurbishment and Demolition Asbestos Survey will be undertaken.

A YALPAG Screening Assessment has been undertaken and is provided as a documents of this application.

(d) Flooding risks of the site,

The application documents include a site-specific flood risk assessment. This identifies that the site is within Flood Zone 2 and offers mitigations in respect of flood risk. The assessment also indicates that the proposal satisfies the Sequential test. SHDC has recently demonstrated how flood risk in Class Q conversions can be overcome and made acceptable following approval within the district. A recent example is:

H12-0776-21 Notification to determine if prior approval is required for Change of Use of agricultural building to a Dwellinghouse (Use Class C3) – Luton Garnsgate, Long Sutton, Spalding, PE12 9JP.

(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 under Class C3 (dwellinghouses) of the Schedule to the Use Classes Order,

The Government's Planning Practice Guidance advises as follows:

The Permitted Development Right does not apply a test in relation to sustainability of location. 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. Instead, the local Planning Authority can consider whether the location and siting of the building would make it impractical or undesirable to change use to a house. (Ref: ID 13-108-20150305)

Regarding the terms impractical or undesirable:

The NPPG advises that impractical or undesirable are not defined within the regulations, and the local planning authority should apply a reasonable ordinary dictionary meaning in making any judgement. Impractical reflects that the location and siting would 'not be sensible or realistic', and undesirable reflects that it would be 'harmful or objectionable'.

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 right grants permission, subject to the prior approval requirements. That an agricultural building is in a location where the local authority would not normally grant planning permission for a new dwelling is not an adequate reason for refusing prior approval.

There may, however, be circumstances where the impact cannot be mitigated. Therefore, when looking at location, local planning authorities may, for example, consider that because an agricultural building on the top of a hill with no road access, power sources or other services its conversion is impractical. Additionally, the location of the

building whose use would change may be undesirable if it is adjacent to other uses such as intensive poultry farming buildings, silage storage or buildings with dangerous machines or chemicals.

In this context, the site is in a suitable location for the proposed change of use and there is no evidence that a residential (C3) use would be impractical or undesirable in this location. The site is in an area that is predominantly agricultural but with residential uses dispersed through the landscape. There is an existing access which links the property to Broadwater Lane.

(f) The design and external appearance of the building, Drawings produced by Oglesby and Limb Limited form part of this application and show the building as existing and as proposed. These demonstrate that the external appearance of the building will remain largely unaltered, other than for the inclusion of doors and windows to facilitate the conversion. The external cladding materials have been specified to carefully respect the agricultural nature of the setting. The Council is asked to note that the extent of the works proposed fall within what is permitted within the regulations.

(g) The provision of adequate natural daylight in all habitable rooms of the dwellinghouse.

A Daylight Assessment is provided as part of the application which is based on this specific design and is included in tabular form on the proposal drawing (A1623-13 rev P1). This refers to the guidance found within the Scottish Building Regulations (there is currently no equivalent within the English Building Regulations). The calculations confirm that adequate light is achieved in all relevant rooms.

Other considerations:

Curtilage

Paragraph W highlights that for the purposes of Class Q, 'curtilage' means:

- a) The piece of land, whether enclosed or unenclosed, immediately beside or around the agricultural building, closely associated with and serving the purposes of the agricultural building, or
- b) An area of land immediately beside or around the agricultural building no larger than the land area occupied by the building.

The proposed curtilage is 298 square meters, as demonstrated by the site block plan that accompanies this application. This is less than the footprint of the agricultural building to be converted (299 square meters) and therefore this criterion is met.

Space Standards

The Department for Communities and Local Government publication 'Technical housing standards – nationally described space standards' (March 2015 – updated 19 May 2016) sets out area requirements for new dwellings. The table provided on drawing A1623-13 illustrates that all minimum standards are exceeded within the proposed design. Notably the following:

The gross internal floor area for a single storey, 4 bed property (8 person) should be at least 117 square meters with an additional 3.0 square meters of storage space.

The proposed design achieves well in excess of 200 square meters and is therefore compliant.

In order to provide two bedspaces, a double (or twin) bedroom has a floor area of at least 11.5square meters.

The bedrooms in this design achieve areas of 28.00m2, 22.20m2, 18.00m2 and 20.60m2 and are therefore compliant. Minimum dimensions (given on the drawing) are also compliant.

The design complies fully with the minimum space standards in every respect.

8. Conclusion of Assessment of Compliance:

The procedure for consideration and determination of prior approval applications required under Class Q (and various other classes) is set out at section W of Schedule 2 Part 3, Paragraph W (3) states that:

'The local authority may refuse an application where, in the opinion of the authority –

- (a) The proposed development does not comply with, or
- (b) The developer has provided insufficient information to enable the authority to establish whether the proposed development complies with, any conditions, limitations or restrictions specified in this Part as being applicable to the development in question'.

The proposal makes clear the following:

1. The application refers to the change of use of a building in agricultural use, together with its curtilage, to a Class 3 dwellinghouse.
2. The proposal includes building works that all fall within the limits permitted by Class Q.
3. The site was solely in agricultural use on the 20th March 2013 and was in the same use for decades prior to this, and has been in the same use to this day.
4. The proposal concerns only 1 larger dwellinghouse.
5. The proposal is for a building where the floor area is less than the threshold of 465 square meters.
6. The proposal does not involve smaller dwellinghouses.
7. The site is not occupied under an agricultural tenancy.
8. No agricultural tenancies have been terminated in the last year.
9. No works have been undertaken to the site under Class A(a) or Class B(b) of Part 6 of this Schedule since 20th March 2013.
10. The development does not result in the external dimensions of the existing building being exceeded at any point.
11. The proposed building works required do not exceed those permitted under Class Q.
12. The site is not on article 2 (3) land.
13. The site is not a site of special scientific interest, nor a safety hazard area, nor a military explosives storage area.
14. The site is not a scheduled ancient monument, nor does it contain one.
15. The building is not a listed building.
16. All matters referred to as 'Conditions' are believed to be satisfied.

On the basis of the foregoing report and accompanying submission it is respectfully concluded that the proposed conversion of the agricultural building complies with all

aspects of the Class Q requirements and on this basis does not require planning approval for its conversion to a dwelling.

9. Appendices:

Appendix A: **The National Heritage List for England**

Overview

Heritage Category:

Scheduled Monument

List Entry Number:

1017217

Date first listed:

10-Dec-1951

Date of most recent amendment:

12-Jan-2000

National Grid Reference:

TF 31257 21303

Reasons for Designation

Around 6,000 moated sites are known in England. They consist of wide ditches, often or seasonally water-filled, partly or completely enclosing one or more islands of dry ground on which stood domestic or religious buildings. In some cases the islands were used for horticulture. The majority of moated sites served as prestigious aristocratic and seigneurial residences with the provision of a moat intended as a status symbol rather than a practical military defence. The peak period during which moated sites were built was between about 1250 and 1350 and by far the greatest concentration lies in central and eastern parts of England. However, moated sites were built throughout the medieval period, are widely scattered throughout England and exhibit a high level of diversity in their forms and sizes. They form a significant class of medieval monument and are important for the understanding of the distribution of wealth and status in the countryside. Many examples provide conditions favourable to the survival of organic remains. The moated site at King's Hall survives well as a series of earthworks and buried deposits. Waterlogging in the moat will preserve organic remains, such as timber, leather and seeds, which will give an insight into domestic and economic activity on the site. In addition the artificially raised ground preserves evidence of land use prior to the construction of the moat. Associated with a well known family and occupied over a long period of time it contributes to our understanding of the development of a relatively high status component of the medieval landscape. As a result of detailed documentary research and archaeological survey, the history of the site is quite well understood.

Details

The monument includes a medieval moated site known as King's Hall, thought to have been the residence of the de Moulton family. In 1086 there were two land holdings at Moulton belonging to Ivo Taillebois and Guy de Craon. By the early 13th century much of the land at Moulton had passed to Thomas de Moulton as tenant of Guy de Craon. It is believed that the moated site was established during the late 12th century on land reclaimed from the fen. In 1216 reference is made to the 'castle of Moulton' and subsequent references include one to repairs made in 1461. By the 1530s part of the building was still standing but after the 18th century was no longer visible above ground. Situated on level ground the monument takes the form of a raised island enclosed by a moat. The island is 'D'-shaped in plan, measuring approximately 85m by 80m, and stands up to 1.5m above the surrounding ground level. The surrounding moat is water-filled and measures up to 18m in width. The north-western moat arm is crossed by two earthen causeways thought to represent original points of access to the island. The island is thought to have been occupied by a fortified manor house which survives as a buried feature. During World War II medieval pottery ranging in date from the late 13th century to the early 14th century was revealed during the construction of a bunker on the northern part of the island.

All fence posts are excluded from the scheduling, although the ground beneath them is included.

MAP EXTRACT The site of the monument is shown on the attached map extract. It includes a 2 metre boundary around the archaeological features, considered to be essential for the monument's support and preservation.

Legacy

The contents of this record have been generated from a legacy data system.

Legacy System number:

33126

Legacy System:

RSM

Sources

Books and journals

Healey, RH, Roffe, DR, Some medieval and later earthworks in South Lincolnshire, (1990), 61-63

Legal

This monument is scheduled under the Ancient Monuments and Archaeological Areas Act 1979 as amended as it appears to the Secretary of State to be of national importance. This entry is a copy, the original is held by the Department for Digital, Culture, Media and Sport.

End of official listing

Historic England Research Records

Monument Number 353789

Hob Uid: 353789

Location :

Lincolnshire
South Holland
Moulton

Grid Ref : TF3125021290

Summary : Medieval moat probably established in the late 12th century. It was occupied by the Multon family in 1313. There are references to the house made in documentary sources including its repair in 1461. In the 1530s part of the building was still standing but had disappeared after the 18th century. The moat surrounds a D-shaped raised island measuring 85 by 80 metres and up to 1.5 metres above the surrounding area. The moat is water filled and is up to 18 metres wide. The northern arm is crossed by two earthen causeways. A trench was cut in the moat between during the Second World War by the Home Guard for a bunker. A thick layer of charred material and late 13th-early 14th century pottery was found. Scheduled.

More information : [TF 31252129] Moat [GT] King's Hall Park. (1)





A moated mansion at Moulton in a place called Hall Grounds, occupied by the Multon family until 1313. A trench cut in the inner bank of the moat by the Home Guard during the last war produced a thick layer of charred material, plaster and late 13th to early 14th century pottery. (2-3)

Published survey (25") correct. (4)

TF 313213. King's Hall moated site, scheduled. (5)

TF 312212. King's Hall listed by the Moated Sites Research Group. (6)

Appendix C: The Archaeology Data Service



RECTORY FARM

[View this record at the Archaeology Data Service](#)

Description: AML Survey Database Reference No: 1089 Survey Type: Magnetometer: recorded grid Eight areas surveyed, two revealing a complex of archaeological features. 'Rectory Farm' not marked on OS 1:2500 1969.

Parish: MOULTON
District: SOUTH HOLLAND
County: LINCOLNSHIRE
Grid reference: TF3100021000
Map reference: [EPSG:27700] 531000, 321000

Period/Subjects: UNCERTAIN - ENCLOSURE

Identifiers: [ADS] Depositor ID - 1144111

People Involved:

- [Publisher] Historic England
- [Creator] Geophysical Surveys of Bradford
- [Publisher] Historic England
- [Creator] Geophysical Surveys of Bradford

Bibliographic References:

- Report No 91/67. Geophysical Surveys of Bradford/Reports.

[Contact Resource Provider](#)



The Lincolnshire Historic Environment Record or HER is a record of all known archaeology in the County of Lincolnshire.

Viewing results 1 to 5 of 5

<< Previous Results Page: **1** Next >>

Name	Location
King's Hall Moated Site, Moulton	MOULTON
Medieval pottery, King's Hall Park, Moulton	MOULTON
The Chestnuts, Moulton	MOULTON
Broadwater House Farm (Broadwater House), Moulton	MOULTON
Vickers Farm, Moulton	MOULTON

<< Previous Next >>

Appendix D: The Heritage Gateway Record

Broadwater House Farm (Broadwater House), Moulton

Heritage Gateway Record →   

Reference Name MLI123196

Name:
Broadwater House Farm (Broadwater House), Moulton

Summary:
Broadwater House Farm (Broadwater House), Moulton

Location:
MOULTON, SOUTH HOLLAND, LINCOLNSHIRE

Description:
Broadwater House Farm (Broadwater House), Moulton. Partially extant 19th century farmstead. Regular courtyard of U plan. The farmhouse is detached from the main working complex. There has been a partial loss (less than 50%) of traditional buildings. Isolated location. Large modern sheds are located to the side of the site. {1}

Sources:
1 Digital archive: English Heritage. 2015. English Heritage Farmsteads Project. 8987

Historic Environment Record

Further information can be found at: Historic Environment Record

For more detailed/specific searches you may use:
Advanced search

Helpful Hint: Please quote the Reference Name / Number or the Lincsthepast item URL when contacting the Historic Environment Team.

Helpful hint: If you want to search a particular collection, or filter out unwanted collections/records – remember you can use the faceted searching to refine your results (see right hand side of your search results page).

Last updated: 12-December-2016 14:38:17

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