PLANNING PORTAL

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You are advised to read the accompanying guidance notes and per-question help text.

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Application to determine if prior approval is required for a proposed: Change of Use of Agricultural Buildings to Dwellinghouses (Class C3), and for building operations reasonably necessary for the conversion

Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 3, Class Q

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Local Planning Authority details:

SOUTH HOLLAND DISTRICT COUNCIL

Publication on Local Planning Authority websites

Information provided on this form and in supporting documents may be published on the authority's planning register and website.
Please ensure that the information you submit is accurate and correct and does not include personal or sensitive information.
If you require any further clarification, please contact the Local Planning Authority directly.

1. Applicant Name and Address

Title:	Mr	First name:	Andrew
Last name:	Oglesby		
Company (optional):			
Unit:		Number: 9	Suffix:
Building name:			
Address 1:	Derwent Way		
Address 2:			
Address 3:			
Town:	Spalding		
County:	Lincolnshire		
Country:	England		
Postcode:	PE11 3WX		

2. Agent Name and Address

Title:	Mr	First name:	Andrew
Last name:	Oglesby		
Company (optional):	Oglesby and Limb Ltd.		
Unit:		Number:	Suffix:
Building name:			
Address 1:	Suite 1 Market Chambers		
Address 2:	12 Market Place		
Address 3:			
Town:	Spalding		
County:	Lincolnshire		
Country:	England		
Postcode:	PE11 1SL		

3. Site Address Details

Please provide the full postal address of the application site.

Unit:		Number:		Suffix:	
Building name:					
Address 1:	Black Hole Drove				
Address 2:	West Pinchbeck				
Address 3:	Spalding				
Address 4:					
Postcode:	PE11 3QL				

4. Eligibility

Was the use of the site on 20 March 2013 (or the last use before that date) solely for an agricultural use as part of an established agricultural unit?

[X] Yes [ ] No

If not, and was the site only brought into use after 20 March 2013, what date was it brought into use solely for an agricultural use as part of an established agricultural unit: N/A (DD/MM/YYYY)

Has the use, as detailed above, been continuous since the date stated; and will that use continue until the proposed development commences?

[X] Yes [ ] No

To be eligible for this permitted development right, the site must have been used as detailed above:
- on 20 March 2013 (or the last use before that date); or
- if brought into use after 20 March 2013, for a period of at least 10 years prior to development commencing.

If this will not be the case, you should not continue with this application and seek advice from the Local Planning Authority on the best course of action.

Has any work under the permitted development rights for the erection, extension or alteration of a building reasonably necessary for the purposes of agriculture been carried out on the agricultural unit since 20 March 2013?

[ ] Yes [X] No

If you have answered yes above, the proposal will exceed the limits set by legislation. In this circumstance, you should not continue with this application and seek advice from the Local Planning Authority on the best course of action.

Will the external dimensions of the resulting building(s) extend beyond the existing building(s) at any point?

[ ] Yes [X] No

If you have answered yes above, the proposal will exceed the limits set by legislation. In this circumstance, you should not continue with this application and seek advice from the Local Planning Authority on the best course of action.

Will all the proposed new dwellinghouses have gross internal floor areas of at least 37 square metres, and comply with the nationally described space standard?

[X] Yes [ ] No

If you have answered no above, the proposal will exceed the limits set by legislation. In this circumstance, you should not continue with this application and seek advice from the Local Planning Authority on the best course of action.

4. Eligibility (continued)

Is any part of the land, site or building:
- in a conservation area;
- in an area of outstanding natural beauty;
- in an area specified by the Secretary of State for the purposes of enhancement and protection of the natural beauty and amenity of the countryside;
- in the Broads;
- in a National Park;
- in a World Heritage Site;
- in a site of special scientific interest;
- in a safety hazard area;
- in a military explosives storage area;
- a scheduled monument (or the site contains one);
- a listed building (or within the curtilage of a listed building).

☐ Yes ☒ No

If you have answered yes above, the proposal will exceed the limits set by legislation. In this circumstance, you should not continue with this application and seek advice from the Local Planning Authority on the best course of action.

5. Agricultural Tenants

Is the site currently occupied under any agricultural tenancy agreements?

☐ Yes ☒ No

If yes, have all the parties to any agricultural tenancy agreements consented to the change of use?

☐ Yes ☐ No

If the site is currently occupied under any agricultural tenancy agreements and:
- **all parties have consented to the change of use**
  You will need to include copies of the written confirmations from all relevant landlords and tenants, stating their consent, when this application is submitted.
- **not all parties have consented to the change of use**
  Your proposals will not be eligible for permitted development based on the limits set by legislation. In this circumstance, you should not continue with this application and seek advice from the Local Planning Authority on the best course of action.

Have any agricultural tenancy agreements been terminated in the year before development is proposed to begin for the purpose of carrying out the proposed change of use?

☐ Yes ☒ No

If yes, have all the parties to all of the terminated agricultural tenancy agreements agreed that the site is no longer required for agricultural use?

☐ Yes ☐ No

If any agricultural tenancy agreements have been terminated in the year before development is proposed to begin for the purpose of carrying out the proposed change of use, and:
- **all parties have agreed that the site is no longer required for agricultural use**
  You will need to include copies of the written confirmations from all relevant landlords and tenants, stating that they agree the site is no longer required for any agricultural use, when this application is submitted.
- **not all parties agreed that the site is no longer required for agricultural use**
  Your proposals will not be eligible for permitted development based on the limits set by legislation. In this circumstance, you should not continue with this application and seek advice from the Local Planning Authority on the best course of action.

6. Dwellinghouses and floor space

How many smaller dwellinghouses will be created by this proposal:	0
How many smaller dwellinghouses have previously been created under this permitted development right on this established agricultural unit:	0

Smaller dwellinghouses are defined as having no more than 100 square metres of floor space per dwelling.

How many larger dwellinghouses will be created by this proposal:	1
How many larger dwellinghouses have previously been created under this permitted development right on this established agricultural unit:	0

Larger dwellinghouses are defined as having more than 100 but no more than 465 square metres of floor space per dwelling.

What will be the net increase in dwellinghouses:	1

Note that this figure should be the number of dwellinghouses proposed by the development that is additional to the number of dwellinghouses on the site immediately prior to the development.

Will the floor space of any single proposed dwellinghouse exceed 465 square metres?

☐ Yes ☒ No

Will the total combined floor space (previously and in this proposal) changed to Larger Dwellinghouses under this permitted development right on this established agricultural unit exceed 465 square metres?

☐ Yes ☒ No

To be eligible for this permitted development right, the number and size of dwellinghouses developed has to be within the limits set by legislation. This includes any dwellinghouses that were previously developed under this permitted development right.
- No more than a total of 5 dwellinghouses (including no more than 3 larger dwellinghouses) can be developed;
- No single dwellinghouse can exceed 465 square metres of floor space; and
- The total combined floor space of all the larger dwellinghouses developed cannot exceed 465 square metres.

If the proposals exceed any of these limits, you should not continue with this application and seek advice from your Local Planning Authority on the best course of action.

7. Description of Proposed Works, Impacts and Risks

Please describe the proposed development, including the siting and location of the building(s):

The conversion of an agricultural barn to 1no. residential dwelling on Black Hole Drove.

7. Description of Proposed Works, Impacts and Risks (continued)

Are any associated building works or other operations required to make this change?
Note that such works are restricted to those listed below that are reasonably necessary to convert the building(s) for use as a dwellinghouse:
- The installation or replacement of windows, doors, roofs, or exterior walls;
- The installation or replacement of water, drainage, electricity, gas or other services;
- Partial demolition to the extent reasonably necessary to carry out the works listed above.

[x] Yes [ ] No

If yes, please provide details of the design and external appearance of the building(s) in regard to these building works or other operations (including partial demolition):

The replacement of exterior wall and roof claddings and the installation of new windows and doors. The installation / replacement of building services including water, drainage and electricity. Refer to drawings A1531-04 rev P1, 05 rev P1 and 14 rev P1 for details.

Please provide details on the provision of adequate natural light in all habitable rooms of the dwellinghouses:

Refer to Daylight and Sunlight Assessment produced by Elmstead Energy Assessments and Building Services which is included in this application.

Please provide details of any transport and highways impacts and how these will be mitigated:

The site has an existing, well established access from Black Hole Drove that will remain unchanged. The road is straight and there is very good visibility in both directions from the site access point. The conversion of the agricultural barn to a dwelling will not increase traffic flow to the site, arguably it will be reduced. The proposal includes off street parking for the conversion and consequently impacts upon the highway are anticipated to be minimal, requiring no mitigation.

7. Description of Proposed Works, Impacts and Risks (continued)

Please provide details of any noise impacts and how these will be mitigated:

The proposal will convert an existing agricultural barn into a single dwelling. The dwelling formed by conversion will be within relatively close proximity to two existing dwellings, both in private residential use. As such, the proposed use will align well with the existing building adjacent, so there will be no issues of incompatibility in respect of noise. The barn is not part of a wider farm complex, nor are there any other neighbouring uses that would cause significant noise issues for a dwelling in this location. In conclusion, no specific mitigation measures would be required given the proposed use and setting.

Please provide details of any contamination risks and how these will be mitigated:

An asbestos survey has been undertaken to identify ACMs in the building. The external wall and roof cladding is identified as asbestos cement, likewise the gutters and downpipes are ACMs. All of these products are in good sound condition, with no significant instances of damage. There is minor debris of ACMs evident in a small number of locations adjacent the building (broken rainwater pipe etc), which has been covered by the phase 1 contamination report. The asbestos specialist has advised that all claddings and the rainwater goods can be removed intact and as such there should be no significant risk of contamination of the site. To mitigate potential contamination, the removal would be undertaken in strict accordance with the current HSE Guidance note for the removal of AC sheeting.

The site itself has been in agricultural use for at least a century. Prior to the barn being constructed in the early 1970s there was no other development on this site. The owner has confirmed that the site has never been used to store fuel or other hazardous chemicals and there have never been any significant spillages.
A separate contamination Phase 1 Desk Study has been prepared by Elemental GI Ltd and is provided as part of this application. This has recommendations for limited further testing, which the applicant fully intends to implement should this application be viewed favourably.
The applicant has taken a pro-active approach in trems of any potential contamination of the site, evidenced by the commissioning of these two reports. Discussions have already been held regarding the further testing that is recommended.

Please provide details of any flooding risks and how these will be mitigated.
A flood risk assessment should accompany the application where the site:
- is in Flood Zones 2 or 3 (Check online: https://flood-map-for-planning.service.gov.uk/); or
- is in an area with critical drainage problems (Check with the Local Planning Authority, it will have been notified of such areas by the Environment Agency).

Please refer to the site-specific Flood Risk Assessment by Ellingham Consultancy Limited that is included within this application.
Internal finished floor levels for all habitable areas have been set at at least +3.25m OD.

8. Checklist

Please read the following checklist to make sure you provide all the required information in support of your proposal.
The information provided should include all the details necessary for the Local Planning Authority to determine if the proposal complies with permitted development legislation, and if its prior approval will be required.
If sufficient information is not provided the Local Authority can either request it, or refuse the application.

All sections of this application completed in full, dated and signed. [x]

The correct fee [x]

A plan indicating the site and showing the proposed development. [x]

A floor plan indicating the total floor space in square metres of each dwellinghouse, the dimensions and proposed use of each room, the position and dimensions of windows, doors and walls, and the elevations of the dwellinghouses [x]

The confirmations in regard to agricultural tenancies (*if required by the answers provided to question 5*) [ ]

A site specific flood risk assessment *(if required as per the flood risk details of question 7)* [x]

A plan drawn to an identified scale will assist the authority in assessing your development proposal. Plans can be bought from one of the Planning Portal's accredited suppliers: https://www.planningportal.co.uk/buyaplanningmap

9. Declaration

I/we hereby apply for a determination as to whether prior approval will be required as described in this form and the accompanying plans/ drawings and additional information. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

Signed - Applicant:	Or signed - Agent:	Date (DD/MM/YYYY):	
	Oglesby and Limb Ltd.	14/04/2023	(date cannot be pre-application)

10. Applicant Contact Details

Telephone numbers

Country code:	National number:	Extension:

Country code:	Mobile number (optional):

Country code:	Fax number (optional):

Email address:

11. Agent Contact Details

Telephone numbers

Country code:	National number:	Extension:
	01775 761196	

Country code:	Mobile number (optional):
	07815 582488

Country code:	Fax number (optional):

Email address:

andy@o-l-ltd.co.uk