

Water Lane Nurseries, Spalding

Design and Access Statement

July 2024

Client: Water Lane Nurseries

Project: Demolition of existing barns/
greenhouse and the erection of 9 dwellings
on land at Water Lane Nurseries, Low Road,
Spalding

Project no: 594



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1.0 Introduction

1.1

This Design & Access Statement accompanies an full planning application for the demolition of barns and a greenhouse replacing them with nine dwellings on land at Water Lane Nurseries, Low Road, Spalding.

1.2

The proposal seeks to re-develop a site containing existing buildings and hardstanding areas. The proposal seeks to provide a new residential housing scheme comprising of nine houses together with associated parking and private amenity space. The proposal at its heart aims to create a sustainable high quality development that will contribute to the settlement of Spalding.

1.3

This statement forms part of a series of reports and documents submitted in support of the planning application.



Image Showing the Position of the Proposed Site in Relation to the Settlement of Spalding

2.0 Class Q, Fallback Position & Establishing a Dwelling Use

Class Q is a new use class introduced in the Planning and Development Act 2008. It is a use class that covers a wide range of uses, including residential, commercial, and industrial uses. The purpose of Class Q is to provide a fallback position for uses that are not covered by any other use class.

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2.1 Class Q Permitted Development Rights

Currently the national General Development and Permitted Rights allow the conversion of agricultural buildings into dwellings through the use of Class Q permitted development rights. However Local Authorities still need to agree the principle of conversion through the process of a Prior Approval Application. This type of application considers the following key elements to the conversion and must be satisfied before approval can be given:

- Can GDPR be achieved
- Structural Suitability of the existing barn
- Transport & Highways Impact
- Noise Impacts of the Development
- Contamination Risks
- Flood Risk

The site forms part of a redundant commercial nursery and incorporates multiple barns and greenhouses. A review of the barns on the site has been undertaken in relation to their ability to be converted under GDPR and that analysis follows within this report.

We have considered the proposals in relation to the latest regulations in the Town and Country Planning (General Permitted Development) (England) Order 2024, Schedule 2, Part 3, Class Q as amended (referred to hereafter simply as Class Q, and our conclusions are set out within this section of the document.

The adjacent table sets out the requirements of Class Q alongside the applications response.

Class Q Criteria		Application Response
Development is not permitted by Class Q if -		
Q.1 (a)	In the case of a site that is part of an established agricultural unit, the site was not part of the established agricultural unit - i. on 24th July 2023, or ii. Where the site became part of the established agricultural unit after 24th July 2023, for a period of at least 10 years before the date development under Class Q begins,,	Accords - the buildings and wider land holding has an established agricultural use, which pre-dates 24th July 2023.
Q.1 (b)	In the case of a site that was (but no longer) part of an established agricultural unit -- i. the site was part of an established agricultural unit on 24th July 2023, ii. Where the site ceased to be part of an established agricultural unit after 24th July 2023, the site has not been part of the established agricultural unit for a period of at least 10 years before the date development under Class Q begins, or iii. Since ceasing to be part of an established agricultural unit, the site has been used for any non-agricultural purpose,	Accords - the buildings and wider land holding has an established agricultural use, which pre-dates 24th July 2023.
Q.1 (c)	The floor space of any dwellinghouse developed under Class Q having a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order exceeds 150 square metres.	Accords - the proposed dwellinghouses would not have a floor area exceeding 100 square metres.
Q.1 (d)	The development under Class Q, together with any previous development under Class Q, within the original limits of an established agricultural unit (see paragraph Q.3(2) pf this Part) would result in - i. the cumulative number of separate dwellinghouses having a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order Exceeding 10, or ii. The cumulative floor space of dwellinghouses having a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order exceeding 1,000 square metres,	Accords - the proposed dwellinghouses do not exceed 10 and the overall floor area does not exceed 1,000 square metres.

Class Q Criteria		Application Response
Development is not permitted by Class Q if -		
Q.1 (e)	The site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained,	Accords - the site is not occupied under a tenancy.
Q.1 (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,	Accords - the site is not occupied under a tenancy.
Q.1 (g)	Development under Class A(a) or Class B(a) of Part 6 of this Schedule (agricultural buildings and operations) has been carried out on the established agricultural unit during the period which is 10 years before the date development under Class Q begins,	Accords - no development has been undertaken under Class Q.
Q.1 (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, other than - - i. extension of the building allowed by paragraph Q.1 (i); ii. Protrusions of up to 0.2 metres to accommodate building operations allowed by paragraph Q.1 (j) (i),	Accords - the external dimensions do not exceed the current building.
Q.1 (i)	The development under Class Q(b) would result in an extension that - i. has more than one storey, li. Is sited anywhere other than to the rear of the existing building, iii. Extends beyond the rear wall of the existing building by more than 4 metres, iv. Has eaves the height of which exceed the height of the eaves of the existing building,	Accords - there is no extension proposed.

Class Q Criteria		Application Response
Development is not permitted by Class Q if -		
Q.1 (i)	<p>v. is higher than whichever is the lower of -</p> <p>(aa) the highest part of the roof of the existing building, or</p> <p>(bb) a height of 4 metres above the ground,</p> <p>vi. Extends beyond a wall that forms a side or principal elevation of the existing building, or</p> <p>vii. Would be sited on land that, before the development under Class Q(b), is not covered by a hard surface that was provided on the land by virtue of any development, and</p> <p>(aa) the hard surface was not provided on the land on or before 24th July 2023, or</p> <p>(bb) where the hard surface was provided on the land after 24th July 2023, the hard surface has not been situated on the land for a period of at least 10 years before the date development under Class Q(b) begins,</p>	Accords - no extension is proposed.
Q.1 (j)	<p>The development under Class Q(c) would consist of building operations other than -</p> <p>i. the installation or replacement of -</p> <p>(aa) windows, doors, roofs, or exterior walls, or</p> <p>(bb) water, drainage, electricity, gas or other services, to the extent reasonably necessary for the building to function as a dwellinghouse, and</p> <p>ii. Partial demolition to the extent reasonably necessary to carry out building operations allowed by paragraph Q.1 (j) (i),</p>	Accords - building operations accord with the GDPR.
Q.1 (k)	The site is on article 2(3) land,	Accords - the site is not on article 2(3) land.
Q.1 (l)	<p>The site is, or forms part of -</p> <p>i. a site of special scientific interest;</p> <p>li. A safety hazard area;</p> <p>lii. A military explosives storage area,</p>	Accords - the site is not part of an SSSI, safety hazard area or explosive storage area.

Class Q Criteria		Application Response
Development is not permitted by Class Q if -		
Q.1 (m)	The site is, or contains, a scheduled monument,	Accords - the site does not contain a scheduled monument.
Q.1 (n)	The building is a listed building,	Accords - the building is not listed.
Q.1 (o)	The existing building, excluding any proposed extension under Class Q(b) but including any proposed building operations under Class Q(c), would not be capable of complying with the nationally described space standard issued by the Department for Communities and Local Government on 27th March 2025(3) as read with the notes dated 19th May 2016 which apply to it, or	Accords - the dwellinghouses accord with the nationally described space standard.
Q.1 (p)	The building does not have suitable existing access to a public highway.	Accords - the buildings have access to a public highway.

Structural Suitability of Existing Barn

The existing barns have been inspected for their suitability to convert and a copy of the report forms part of this application.

Transport and Highways Impact

The application site can be accessed from Low Road through an existing access, which provides an entirely suitable access for vehicles. This access has previously been used by farm vehicles, large HGV's as well as residential properties.

The dwellings would not produce a large volume of traffic. They would also result in the removal of vehicle trips which would otherwise be associated with a continuation of their agricultural use. Overall, there would be no significant change in the number of vehicle trips, and there would certainly not be any significant effect on the operation of the local highway.

Noise Impacts of the Development

A residential use would not create any significant noise, and it would be inherently acceptable close to other residential properties. In addition, the site is not close to any significant sources of noise, and so there are no material issues in this regard. It is also proposed that the building would be fitted with modern double glazing, which would reduce internal noise in any case.

Contamination Risks

We do not know of any contamination risks associated with the application site. The site clearly has a well established

agricultural use, and the buildings in question were used for agricultural storage and machinery. There is no reason to suspect this would have lead to contamination of the land.

Flood Risk

The application is accompanied by a separate Flood Risk Assessment which demonstrates that the dwellings can be made safe for the life of the buildings.

Conclusion

This section of the Design & Access Statement together with the accompanying concept designs demonstrate that both barns can be appropriately converted under the Class Q criteria.

2.2 Fallback Position

The creation of a 'fallback position' through the use of the Class Q Prior Approval is well established. The thought process being if the Council agrees through the Prior Approval process that a conversion is acceptable, a C3 dwellinghouse use is established on the site. Once this use has been established it becomes a material planning consideration should a future application for a new dwelling be submitted.

More recently decisions have confirmed that in order for the dwelling use to be established the barn only need be capable of being converted on the Class Q criteria. A formal Prior Approval application and approval is not required.

2.3 Establishing a Dwelling Use

This Design & Access Statement and accompanying concept designs have established that the two barns on the application site are capable of being converted under the Class Q GDPR criteria. Furthermore given that they can be converted a Prior Approval Application is not required. The dwelling use on the site is established and it is this use that is the material planning consideration when assessing this application for new residential dwellings against local and national planning policy.

2.4 Pre-app Advice from the Council

Pre-app discussions were undertaken with District Planning Officers with regard to the application and establishing the dwelling use of the site. This application follows those discussions and the recommendations of Officers.

3.0 The Development in Context

3.1 Settlement Character Assessment

Spalding South Hollands largest and most sustainable settlement providing public transport links to the surrounding villages and the cities of Peterborough and Lincoln.

The site itself, lies on the outskirts of the main settlement off Low Road, adjacent to both residential and agricultural uses. The site has good footpath, cycle and public transport links.

The character of the local area is a mix of residential and agricultural forms and building types.

3.2 Materials

Low Road itself is predominantly residential in form with a mix of buff and red brick, white render and concrete interlocking tiles.

The application site sits behind the frontage residential development to Low Road and generally consists of barns and commercial greenhouses in an agricultural setting. These buildings are a mix of brickwork, timber/ metal cladding and glass.

3.3 Architectural Detailing

Architectural detailing within the site is limited given the utilitarian type of buildings within the site. Both barns and greenhouses have pitched roof and simple materiality. Detailing is limited and generally at junctions with walls/ roofs.



View of Site Entrance From Low Road



View of Adjacent Dwellings to Low Road Frontage



View of Site from Bridge Crossing The Coronation Channel



View of Site from Public Footpath Adjacent to the Coronation Channel



Existing Multi-Bay Barn



Dilapidated Lean-To to Existing Barn



Former Storage Building to North-East Side of the Site



Existing Greenhouses and Surface Water Tank



Existing Greenhouse Block to Western Side of the Site



View of Existing Barns

4.0 Proposed Development

4.1 Use

The scheme will be a residential in composition.

5.2 Amount

The proposals will consists of a nine 2 1/2 storey buildings including parking/ car ports and domestic gardens.

5.3 Layout

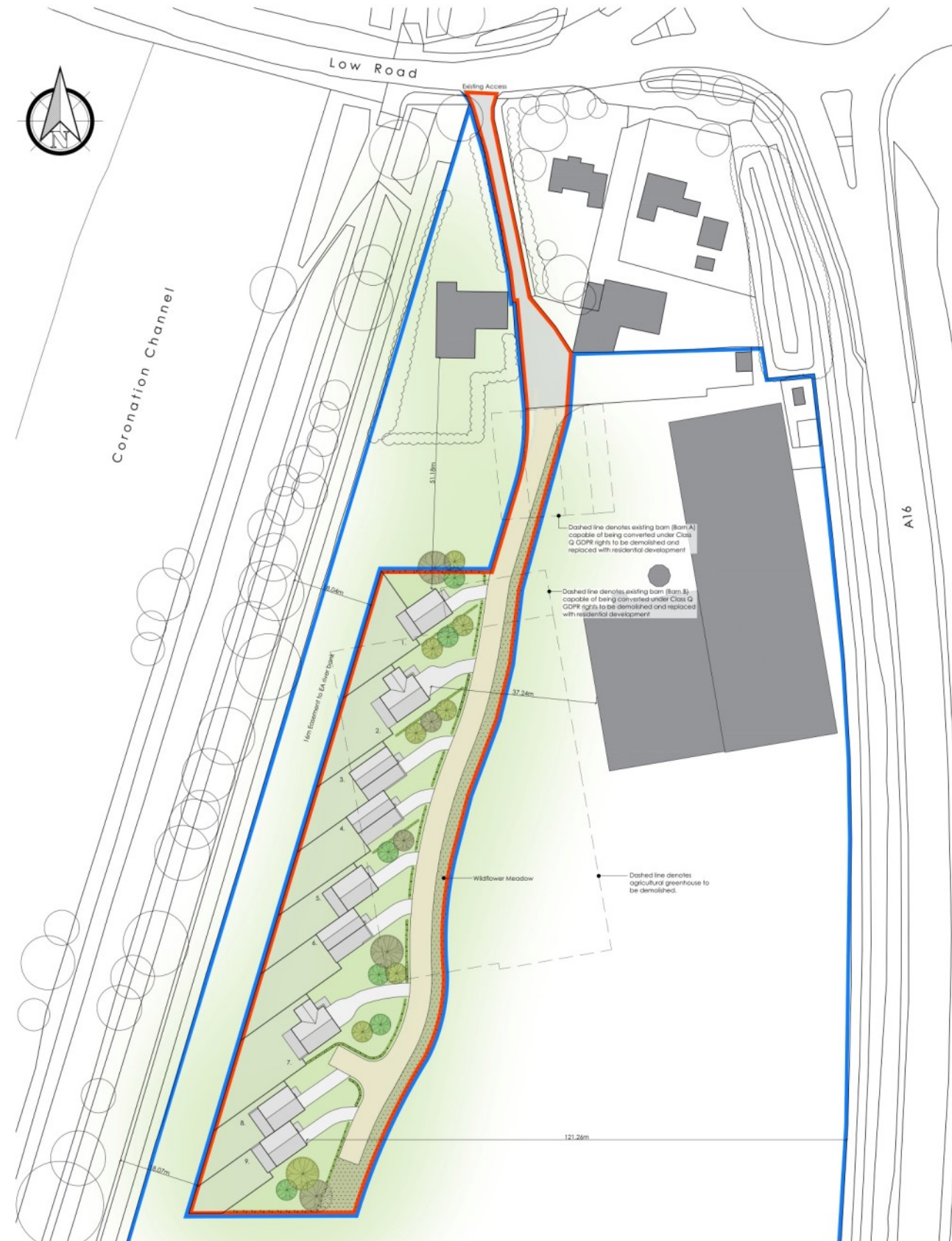
The proposed layout of the site is designed to create visual excitement by enhancing the appearance of views in and out of the site.

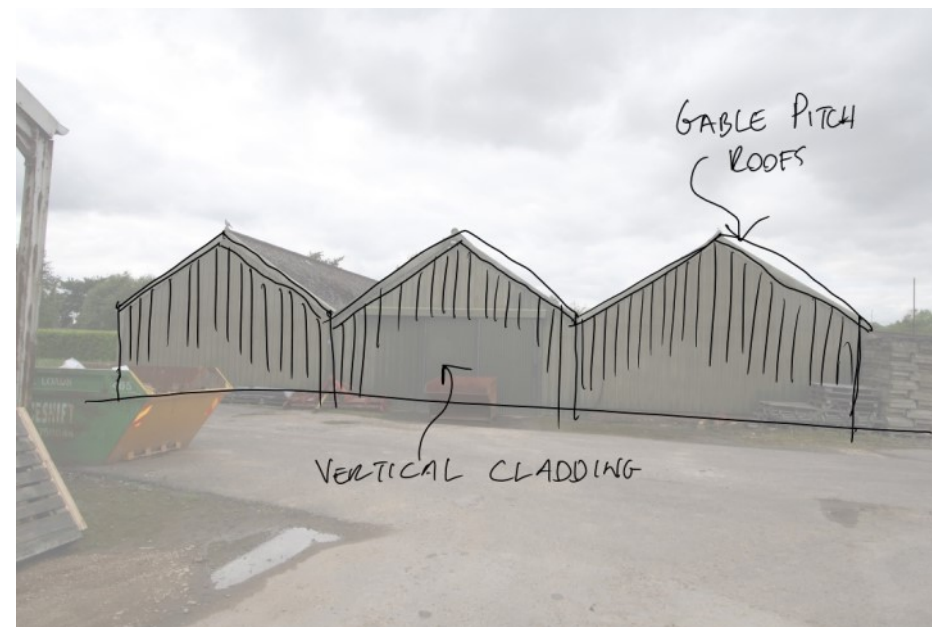
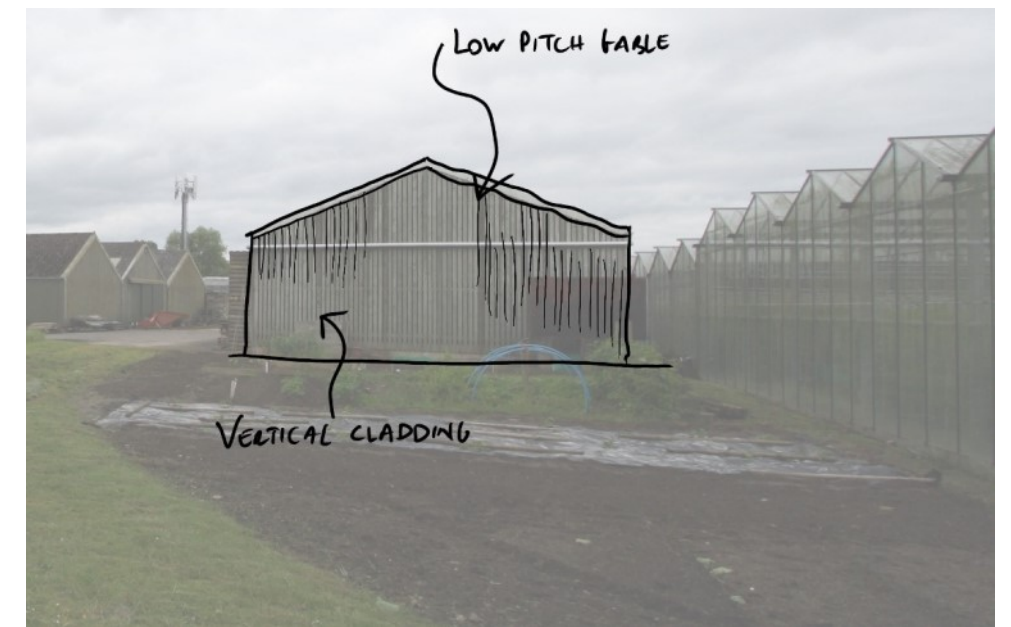
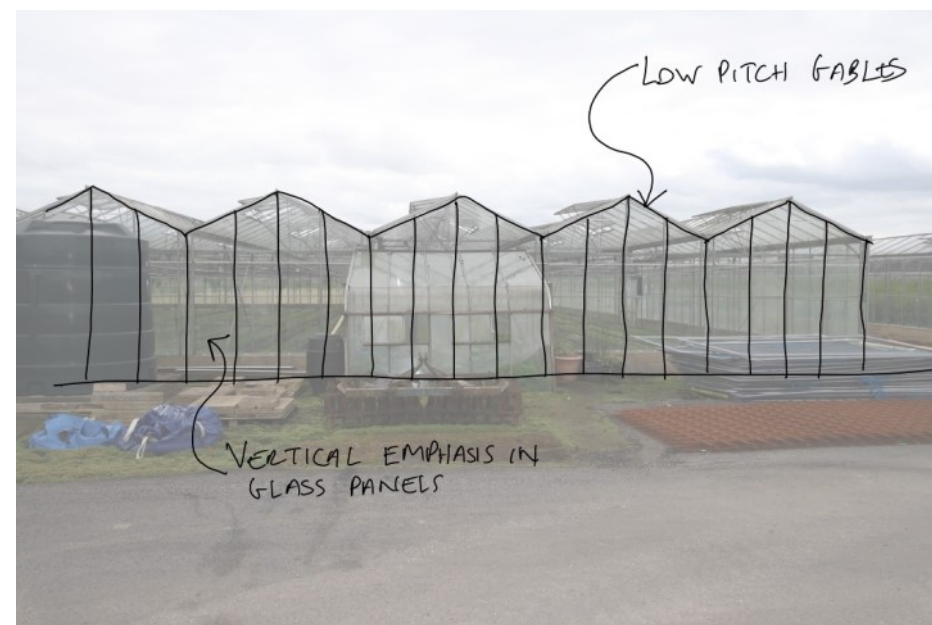
The new buildings have been designed to reflect and reference the immediate vernacular of the agricultural barns and Greenhouses within the site.

5.4 Scale

The proposals consist of nine buildings, 2 1/2 storey's in height.

Extract From Site Layout





Key Conclusions:

- Buildings within the site are generally agricultural in form
- Virtually all buildings have pitched roofs with gable ends
- There is a general vertical emphasis to most buildings either through material, building width or both
- Construction materials are very utilitarian, particularly with the use of metal
- The newer barn is softer with the use of Lincolnshire Vertical Cladding

Form Analysis of Existing Agricultural Buildings Within The Site

5.5 Landscaping

Where possible all existing landscape features will be retained. The existing landscaping will be supplemented by new tree, shrub and hedge planting as well as the creation of a wildflower meadow verge to the main drive access.

Accompanying this application is a scheme of bio-diversity enhancement.

5.6 Amenity Space

The new homes will be provided with significant garden spaces which allows for general amenity space to occupiers.

5.7 Appearance

The design philosophy underpinning the proposals aims to ensure that the development has a clear affinity with the sites location as well as reflecting architecture currently present within the site.

5.8 Access

The principle access to the site is by way of an existing access off Low Road. This access is currently used by multiple vehicle types including HGV's and tractors.

Access to the principle entrance of the homes will be provided with a level threshold.



Artists Impression - View of New Homes from Inside The Site



Artists Impression - View of New Homes From The Coronation Channel

6.0 Conclusions

This proposal for nine family homes addresses a clear need within the District for housing. The site currently has agricultural barns within the site which are capable of being converted under the Class Q GPDR rights. The dwelling use on the site does not present any conflicts with regard to flood risk, noise, contamination or transport/ highways.

On that basis it is felt that the proposals meet the aspirations of the NPPF in delivering homes which respond to local need and the current and future requirements of Climate Change.

The architecture within the proposals is of a high level responding directly to the site, its proposed occupants and their need to have a modern energy efficient homes.

Given the above , it is felt that the application should be approved without delay.

