



DESIGN AND ACCESS STATEMENT

RESIDENTIAL DEVELOPMENT INVOLVING THE DEMOLITION OF EXISTING BUILDINGS

AT

**BUILDINGS ADJ. CARLTON LODGE
OXCROFT BANK
SHEPEAU STOW
SPALDING
LINCS**

FOR

MR FORD

Job No. SE-1910

July 2023

Swann Edwards Architecture Limited - Registered in England & Wales No. 07943586.
Place of Business: Black Barn, Fen Road, Guyhirn, Wisbech, Cambs. PE13 4AA
t 01945 450694 e info@swannedwards.co.uk w www.swannedwards.co.uk
Registered Office: 22-26 King Street King's Lynn PE30 1HJ.

1.0 INTRODUCTION

This Design and Access Statement supports the full planning application for residential development. The application is for the erection of 3 dwellings comprising of 3 x detached 2-storey dwellings involving the demolition of the existing agricultural buildings and follows a Part Q Approval for the conversion of the barns to three dwellings. The application site is located at Buildings adj. Carlton Lodge, Oxcroft Bank, Shepeau Stow.

2.0 CONTEXT & PROPOSAL

2.1 SITE CONTEXT

The application site is located at Buildings adj. Carlton Lodge, Oxcroft Bank on the south-eastern side of the highway. The site currently accommodates various agricultural buildings.

The site is outside of the established settlement of Shepeau Stow however there are existing residential dwellings positioned to the immediate south-west of the site. There is agricultural land to the north-east of the site and existing agricultural buildings to the south-west.

The site is positioned within Flood Zone 2 of the Environment Agency Flood Maps for Planning.



Figure 1: Aerial photograph

2.2 HISTORY

H23-0335-23 – Conversion of agricultural buildings to form 3 dwellings.

2.3 BACKGROUND

The buildings in question benefit from Class Q permitted development rights to be converted into 3 dwelling houses (reference H23-0335-23), it was acknowledged that a fall-back position of residential development exists which is a material planning consideration in any future planning submission.

2.4 PROPOSAL

Following the approval of H23-0335-23, the proposal is for the demolition of the existing barn and their replacement with 3 dwellinghouses. The dwellings will comprise of 3 x 2-storey detached units.

The dwellings will be arranged to form a courtyard area within the site. It is proposed that the development will have a 'farmstead' appearance, with all plots having a barn conversion style appearance.

The plots will share a new access roughly within the centre of the site.

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 H23-0335-23 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, that 3 dwellings can be developed under H23-0335-23 and that the barns in question are not within a Conservation Area or Listed Buildings (which is a requirement of Class Q) the principle of the erection of 3 new dwellings 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 2 and therefore a flood risk assessment will need to be submitted with this application.



Figure 2: Extract from Environment Agency Flood Maps for Planning

3.0 DESIGN

3.1 USE & AMOUNT

The proposal is for the erection of 3 dwellings involving the demolition of the existing agricultural buildings. Given the fallback position of H23-0335-23, the proposed use and number of units is acceptable.

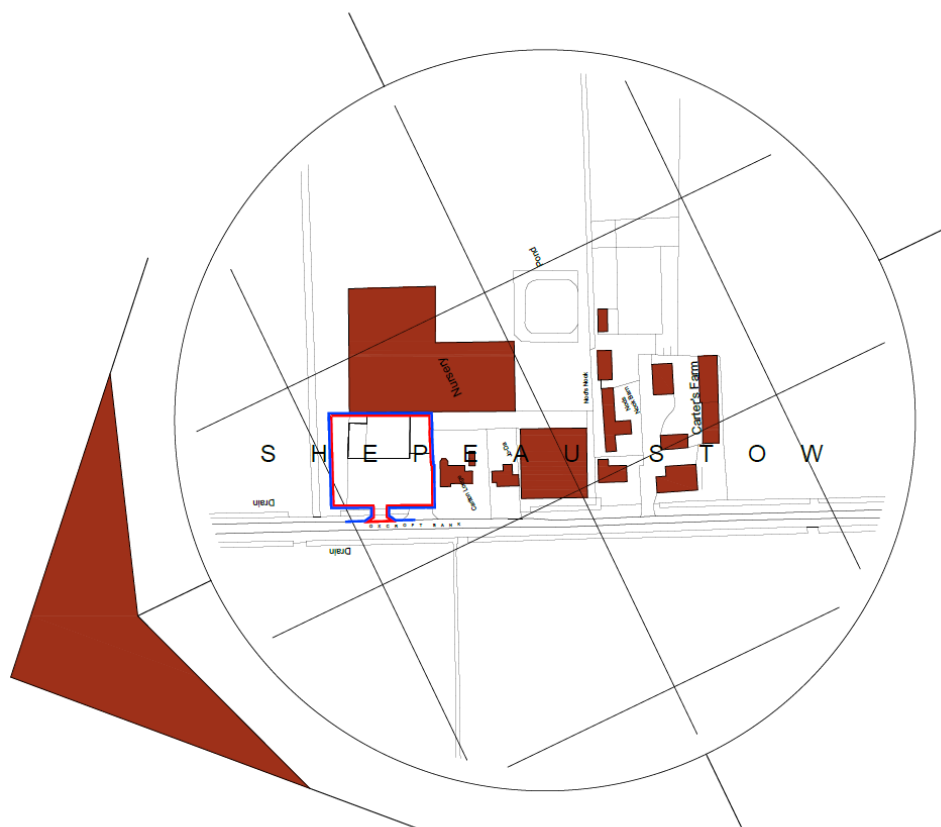


Figure 3: Location Plan

3.2 LAYOUT, SCALE AND APPEARANCE

The plots are designed to have the appearance of barn conversions and therefore have been arranged in a more tandem manner, which allows for a traditional courtyard setting. The 3 dwellings have been designed to have a farmstead appearance. This is considered to be visually appropriate given the rural location.

Each dwelling will be provided with its own private garden area and off-road parking in accordance with the adopted parking standards.

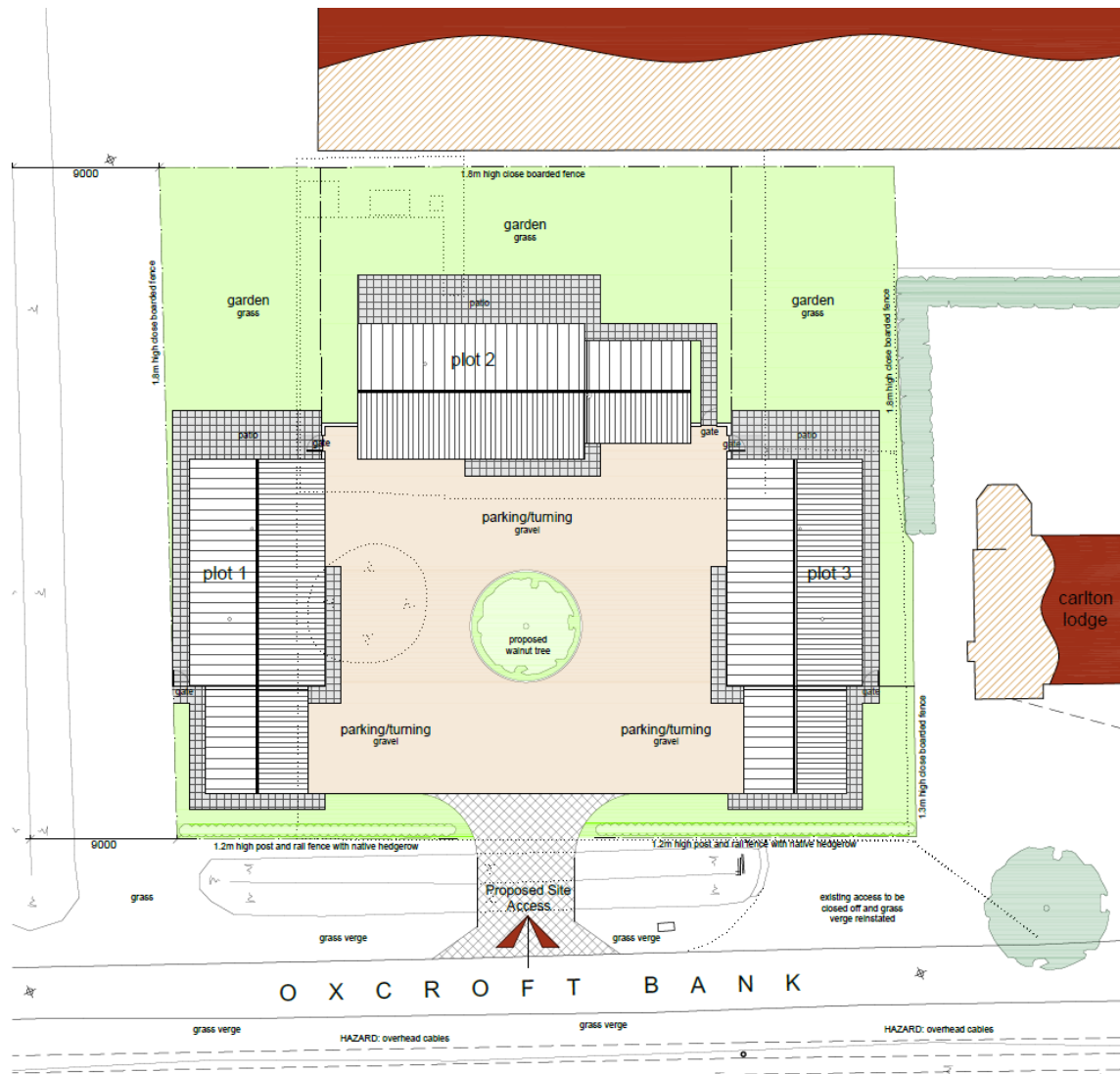


Figure 4: Proposed site plan

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. We will also be piping and filling the drain to the front to form a new access subject to the Independent Drainage Boards approval.

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 site is within a countryside location, outside of the defined settlement limits of Shepeau Stow and therefore does not benefit from sustainable modes of transport such as a footpath for walking or access to a bus stop. However, the principle of residential use is already established under H23-0335-23 and therefore it is inevitable that there will be residents on this site who will not benefit from sustainable modes of transport. This is also the case for the other existing dwellings which are located to the west of the site. With this in mind, a refusal on the grounds of sustainability in terms of transport options could not be upheld.

4.2 SITE ACCESS

A new access is proposed approximately halfway along the site frontage. This will serve the dwellings. All plots will be provided with at least 4 parking spaces, 2 of which are to be in the covered hovels attached to the plots, and there is scope within the site to enable vehicles to turn so that they enter and exit the site in forward gear.

There is good visibility along Oxcroft Bank and therefore the site can be accessed safely.

5.0 CONCLUSION

The proposal is for the erection of 3 dwellings involving the demolition of the existing agricultural buildings. The site is within a rural location where restrictive countryside housing policies apply. However, the site benefits from extant prior approval permission for the conversion of the existing buildings to form 3 dwellings 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 buildings are not listed buildings, and the site is not within a Conservation area and therefore no harm is caused by loss of these buildings. 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, which is reduced from the previous approval, will result in a more aesthetic development.

The proposal within Flood Zone 2 and is therefore both a flood risk assessment and sequential test will be submitted alongside the application.

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.