SWANN EDWARDS ARCHITECTURE

DESIGN AND ACCESS STATEMENT

RESIDENTIAL DEVELOPMENT INVOLVING THE DEMOLITION OF EXISTING BUILDINGS

AT

ORCHARD FARM
DOWSDALE BANK
SHEPEAU STOW
SPALDING
LINCS

FOR

MR DICKENS

Job No. SE-1549 **June 2021**

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 5 dwellings comprising of 3 x detached 2-storey dwellings and 2 x semi-detached 2-storey dwellings involving the demolition of the existing agricultural buildings. The application site is located at Orchard Farm, Dowsdale Bank, Shepeau Stow.

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2.0 CONTEXT & PROPOSAL

2.1 SITE CONTEXT

The application site is located at Orchard Farm, Dowsdale Bank on the south-eastern side of the highway. The site currently accommodates a working farm with 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 east.

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



Figure 1: Aerial photograph



Figure 2: Extract from Environment Agency Flood Maps for Planning

2.2 HISTORY

H23-0594-20 – Proposed barn conversion into 5 dwellings – Granted 15.10.2020

Prior approval under Class Q, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 was granted under the above reference number. The proposal was to change the use of the existing buildings on site from agricultural to 1 x larger dwellinghouse and 4 x smaller dwellinghouses.

2.3 BACKGROUND

Pre-application advice was sought for the proposal under reference PE-00024-21 in February 2021. In its response, the Local Planning Authority noted that the site was outside of the defined settlement boundary for Shepeau Stow. However, given that the buildings in question benefit from Class Q permitted development rights to be converted into 5 dwelling houses (reference H23-0594-20), 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 H23-0594-20, the proposal is for the demolition of the existing barns and their replacement with 5 dwellinghouses. The dwellings will comprise of 3 x 2-storey detached units and 2 x 2-storey semi-detached units.

The dwellings will generally be arranged along the site frontage with a small courtyard area formed by plots 1 and 2. It is proposed that the development will have a 'farmstead' appearance, with plots 1 and 2 having a barn conversion style appearance, plots 3 and 4 appearing as semi-detached workers cottages and plot 5 being designed as a traditional farmhouse.

Plots 1 to 4 will share a new access roughly within the centre of the site, with plot 5 using the existing access to the north which is shared with the farmyard beyond.

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 H23-594-20 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 5 dwellings can be developed under H23-594-20 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 5 new dwellings involving the demolition of existing buildings is acceptable.

An acknowledgement that the fallback position is a material planning consideration formed part of the pre-application response given under reference PE-00024-24.

2.6 FLOOD RISK

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



Figure 2: Extract from Environment Agency Flood Maps for Planning

3.0 DESIGN

3.1 USE & AMOUNT

The proposal is for the erection of 5 dwellings involving the demolition of the existing agricultural buildings. Given the fallback position of H23-0594-20, the proposed use and number of units is acceptable. If anything, the proposal is an improvement on the H23-0594-20 as it will reduce the built footprint from 902sqm to 586sqm which will reduce the visual impact of the proposal and allow for additional landscaping.

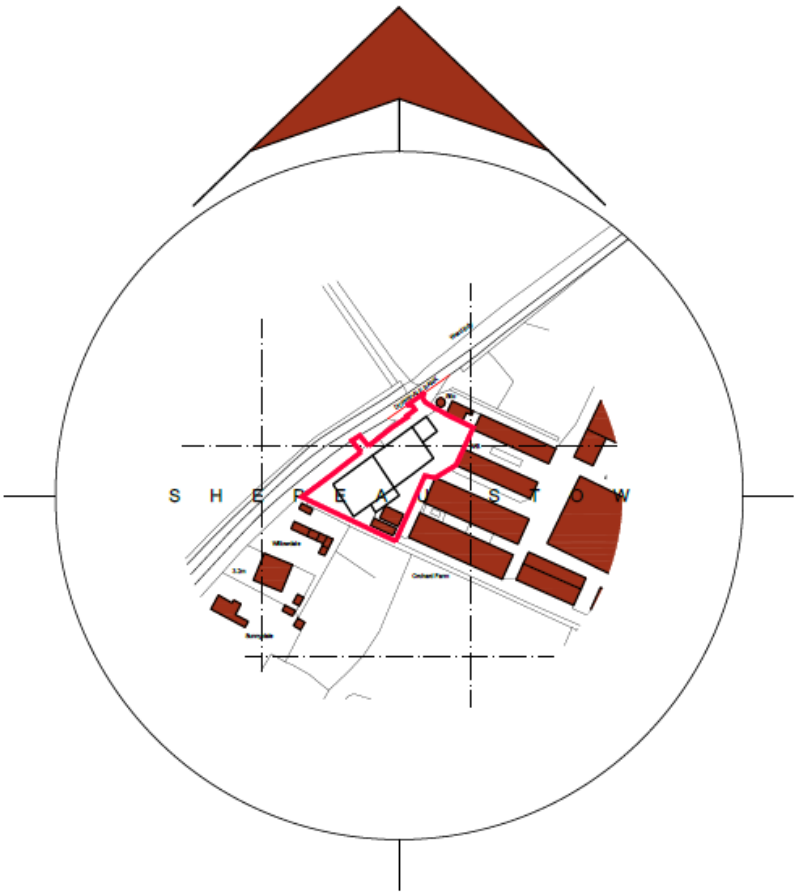


Figure 3: Location Plan

3.2 LAYOUT, SCALE AND APPEARANCE

The dwellings will be generally positioned along the road frontage to reflect the character of the street scene to the south. Plots 1 and 2 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 dwellings, as a collective, have been designed to have a farmstead appearance with plot 5 appearing as the farmhouse, plots 3 and 4 being the workers cottages and plots 1 and 2 being the farm buildings. This is considered to be visually appropriate given the rural location.

The dwellings will have a footprint which is nearing half of what was approved under H23-0594-20. As a result the dwellings will be visually less dense which is considered to be more appropriate to this countryside setting and will have less of an impact on neighbouring residential dwellings. All primary first floor windows will be positioned front and back within the dwellings and as such no overlooking or loss of privacy towards existing residents or between future residents will occur.

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



Figure 5: Front elevations

3.3 LANDSCAPING

The proposal includes landscaping positioned along the site boundaries which will be to the visual benefit of the future residents and the character of the area. The existing pocket of landscaping on the site frontage will be retained and incorporated into the garden area of plot 1.

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 H23-0594-20 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 complex of dwellings at plots 1 -4. Plot 5 will use the existing access which will be shared with the farm to the rear. Each plot will be provided with at least 2 parking spaces 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 Dowsdale Bank and therefore the site can be accessed safely.

5.0 CONCLUSION

The proposal is for the erection of 5 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 5 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 1 and is therefore in a sustainable and sequentially preferable location.

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