

Planning Statement Addendum

Applications ref. 2023 0201, 2023 0767 and 2023 1120 have all resulted in a decision that Prior Approval is required to undertake the works (ie the works are not permitted development).

Decision ref. 2023 0201 determined that:

'Insufficient information has been submitted with the application to demonstrate that the extent of the works required to facilitate the change of use of the building to a dwelling do not extend beyond the limitations set out in Q.1 (i) (i) and (ii) and would not include the construction of new structural elements'

The next application, ref. 2023 0767, included a structural report by a qualified engineer that concluded the existing structure is robust and would not need replacing with new elements.

Decision ref. 2023 0767 determined that:

'Insufficient information has been submitted with the application to demonstrate that the extent of the works required to facilitate the change of use of the building to a dwelling do not extend beyond the limitations set out in Q.1 (i) (i) and (ii) and would not include the construction of new structural elements.'

Although this is an identical reason for refusal as 2023 0201, that appeared to ignore the structural report, the planners assessment supplied this explanation:

'The structural survey supplied in this application goes some way to understanding the extent of the repairs needed to the building. However, this does not address sufficiently the actual works required to ensure that the building is structurally sound and capable of functioning as a dwelling and that the extent of the works required to convert the building would not include the construction of new structural elements as it does not address the development proposed and the works required to the building for the conversion. It is fore that reason that the original refusal reason has not been overcome by this approval.'

The next application, ref. 2023 1120, included a 'Structural Method Statement' that described how the proposed works would affect the existing structure, and showed that it can be implemented with very minor adjustments to some existing structural elements.

Decision ref. 2023 1120 determined that:

1.
The proposal fails to provide adequate parking and cycle storage provision, with insufficient drainage information provided to assess potential flooding of the highway and as such the development proposed does not comply with Schedule 2 Part 3, Class Q.2(a) of the Town and Country (General Permitted Development) Order 2015.

2.
Insufficient information has been provided to ascertain the contamination impacts as such the development proposed does not comply with Schedule 2 Part 3, Class Q.2(c) of the Town and Country (General Permitted Development) Order 2015.

3.
Insufficient information has been provided to ascertain the flooding risks as such the development proposed does not comply with Schedule 2 Part 3, Class Q.2(d) of the Town and Country (General Permitted Development) Order 2015.

4.
The proposed development, by reason of its siting in close proximity to existing dwellinghouses would result in direct and significant levels of overlooking. As such, the location and siting of the building, the subject of this application, makes it impractical and undesirable for a change from agricultural use to a use Class C3 (dwellinghouse) and as such the development proposed does not comply with Schedule 2 Part 3, Class Q.2(e) of the Town and Country (General Permitted Development) Order 2015.

The structural information was accepted as adequate -

The details submitted with the application, which now include a Structural Method Statement, shows that the extent of the works to be carried out to the building falls within the above limitations. The structural survey and Method Statement together address the required strengthening to walls and roofing. The Design and Access Statement confirms that the corrugated asbestos roofing will be replaced with black bitumen sheet and areas of slate are to be replaced with slate. The proposal does also appear to require construction of new walls and structural elements to part C of the building as described in the Structural Survey. However, based on the information supplied this would be a small aspect of re building of the wider site. As such the proposal is now considered to meet the limitations set out in Q1 (i).i

The same structural information is included in this application.

Looking at the reasons for refusal on 2023 1120 and the reponse included within this application:

1.
The proposal fails to provide adequate parking and cycle storage provision, with insufficient drainage information provided to assess potential flooding of the highway and as such the development proposed does not comply with Schedule 2 Part 3, Class Q.2(a) of the Town and Country (General Permitted Development) Order 2015.

The GBC Highways Officer comment withi the planners report says:
The GBC Highways Officer has raised concerns regarding the size of the parking area and the lack of foul drainage details. They have also expressed concern that the site area shown in red on the plans does not include the access.

The proposal now increases the size of the parking bays to 5m x 2.5m as suggested by GBC highways, and adds a 200mm space to the existing building. There are 9 cycle stands on hardstanding added.

The existing levels have been added showing that natural existing drainage is away from Taylors Lane to areas within the applicants ownership, and permeable paving to the parking spaces is specified so that there is no significant increase in run off
The foul drainage is now indicated, proposed as a septic tank system, subject to water authority approval.

The access is existing within the applicants ownership and need not be included in the application site which describes the buildings curtilage as defined in Part X of Class Q.

2.
Insufficient information has been provided to ascertain the contamination impacts as such the development proposed does not comply with Schedule 2 Part 3, Class Q.2(c) of the Town and Country (General Permitted Development) Order 2015.

An Environmental report is now included ('Argyll Environmental Report') which concludes that the risk of contamination or flooding is low. A planning condition can be imposed to ensure any contamination encountered during construction not previously identified is correctly dealt with.

3.
Insufficient information has been provided to ascertain the flooding risks as such the development proposed does not comply with Schedule 2 Part 3, Class Q.2(d) of the Town and Country (General Permitted Development) Order 2015.

An Environmental report is now included ('Argyll Environmental Report') which concludes that the risk of contamination or flooding is low.

4.
The proposed development, by reason of its siting in close proximity to existing dwellinghouses would result in direct and significant levels of overlooking. As such, the location and siting of the building, the subject of this application, makes it impractical and undesirable for a change from agricultural use to a use Class C3 (dwellinghouse) and as such the development proposed does not comply with Schedule 2 Part 3, Class Q.2(e) of the Town and Country (General Permitted Development) Order 2015.

The plans of the adjacent Hill Farm are included on an amended site layout. It can be seen that the buildings adjacent to those proposed to be used as dwellings are all storage or workshop buildings. The residential areas of the Farm are contained within the front (eastern) parts and would overlook the proposed parking area, not the dwellings. There would be no direct overlooking between dwellings as a result of this proposal.

The planners report states that any successful application would need to satisfy the requirements of the Habitat Regulations and would require a financial contribution of £314.05 per dwelling as part of the SAMM's tariff applied by the Local Planning Authority for developments impacting the SPA and RAMSAR sites.
The applicant is agreeable to this by way of a planning condition or other method deemed appropriate by Gravesahm BC

The reasons stated for determining that Prior Approval is required have all been addressed within this application and therefore the LPA should be obliged to agree that Prior Approval is not now necessary, and that this is Permitted Development under Class Q.

CLIENT: Richard Batchelor		
PROJECT: Buildings north of Hill Farm, Taylors Lane, Higham		
TITLE: Planning Statement Addendum		
SCALE: NTS	DATE; 02/24	DWN; GB
DRAWING NUMBER		22-36-08

