



## **DESIGN AND ACCESS STATEMENT**

**CONVERSION OF EXISTING BARN TO FORM 3-BED  
SINGLE-STOREY DWELLING**

AT

**MINTLYN FARM  
QUEEN ELIZABETH WAY  
BAWSEY  
KING'S LYNN**

FOR

**ASHWICKEN FARMS LTD**

**Job No. SE-1612**

**April 2021**

## 1.0 INTRODUCTION

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This statement supports the proposal for the conversion of the existing barn to form a single-storey 3-bed dwelling, at Mintylyn Farm, Queen Elizabeth Way, Bawsey, King's Lynn. The application follows an appeal on site which was allowed under reference APP/V2635/W/20/326513 for the conversion of the barn under Class Q of the General Permitted Development Order.

## 2.0 CONTEXT & PROPOSAL

### 2.1 SITE CONTEXT

The site is located within the farm complex at Mintlyn Farm, approximately 1 mile from the A149 Queen Elizabeth Way. The barn in question is positioned at the front of the site, next to the existing farmhouse known as White House Farm. There are other agricultural buildings located to the south and west of the barn.

The barn is open to the remainder of the farmyard with no boundary treatments defining the application site. Access to the site is via the existing farm track which is approximately 1 mile from the A149 Queen Elizabeth Way. Both the existing farm and farmhouse use this access.

The Environment Agency Flood Maps for Planning identify the site as being within Flood Zone 1.



Figure 1: Aerial photograph

### 2.2 PLANNING HISTORY

APP/V2635/W/3261513 (relating to 19/02170/PACU3) – Notification for Prior Approval for change of use of agricultural building to a dwelling (Schedule 2, Part 3, Class Q) – Appeal allowed 04.02.2021;

19/02170/PACU3 – Notification for Prior Approval for change of use of agricultural building to a dwelling (Schedule 2, Part 3, Class Q) – Refused 17.12.2019.

## 2.3 BACKGROUND

Prior approval for conversion of the building under Class Q of the General Permitted Development Order was refused by the Local Planning Authority as it was considered that (1) future occupiers would suffer from reduced amenities caused by the location of the barn opposite the vehicular entrance to the farmyard and that acoustic fencing to overcome the noise issues would result in a poor level of amenity due to a lack of outlook and (2) the access track does not allow for right hand turns when entering or leaving the site and therefore the location of the building is not practical or desirable.

The decision was subsequently appealed and the Inspector allowed the appeal, noting that the noise issues could be overcome by the erection of 1.8m high acoustic fencing along the boundary of the site opposite the vehicular access and the installation of triple glazing. These measures are to be secured via planning conditions. It was further noted that there were no issues with regards to the practicality of the access to the site.

## 2.4 PROPOSAL

The proposal seeks full planning permission to convert the barn to a 3-bed single-storey dwelling. The only changes to the proposal from the appeal scheme is that the garden area serving the dwelling is to be extended and the building is to be externally insulated, finished in cladding.

## 2.5 PRINCIPLE

The site is located outside of the established settlement where new development is usually restricted as per countryside housing policies. However it benefits from extant prior approval allowed under APP/V2635/W/3261513 which allows for the change of use of the barn to a dwelling house. As such the principle of a new residential unit on this site is already established.

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 a 'real prospect' and it was confirmed in the 'Mansell' case that Class Q permitted development rights constitute a real prospect. With this in mind the development approved under APP/V2635/W/20/3261513 is a

material planning consideration and should be considered as a fallback position in the consideration of any subsequent planning applications. On the basis of the above, and given that the changes to the scheme under the current proposal are negligible, the principle of the development is acceptable.

## 2.6 FLOOD RISK

Section 14 of the NPPF require a sequential approach, by locating development within land at lowest risk of flooding in the first instance unless it can be demonstrated that no such land is available.

The site is located within Flood Zone 1 and is therefore on land at lowest risk of flooding. It is therefore within a sequentially preferable location which is supported by Section 14 of the NPPF.

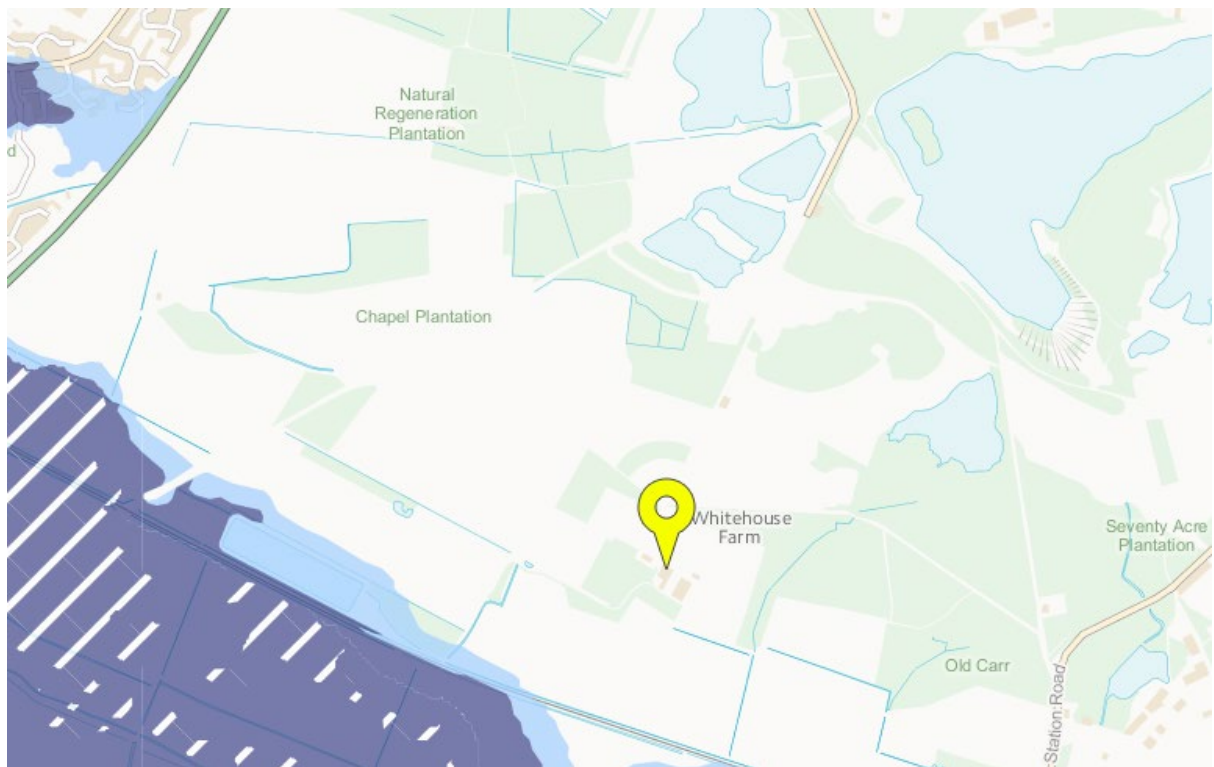


Figure 2: Extract from Environment Agency Flood Maps for Planning

### 3.0 DESIGN

#### 3.1 USE & AMOUNT

The proposal is for a single-storey 3-bed dwelling. There are no proposed alterations to the proposal since the appeal decision, other than the installation of the external insulation and the extended garden area. The principle of the use and scale of the proposal is already established by reasons of the appeal decision on site.

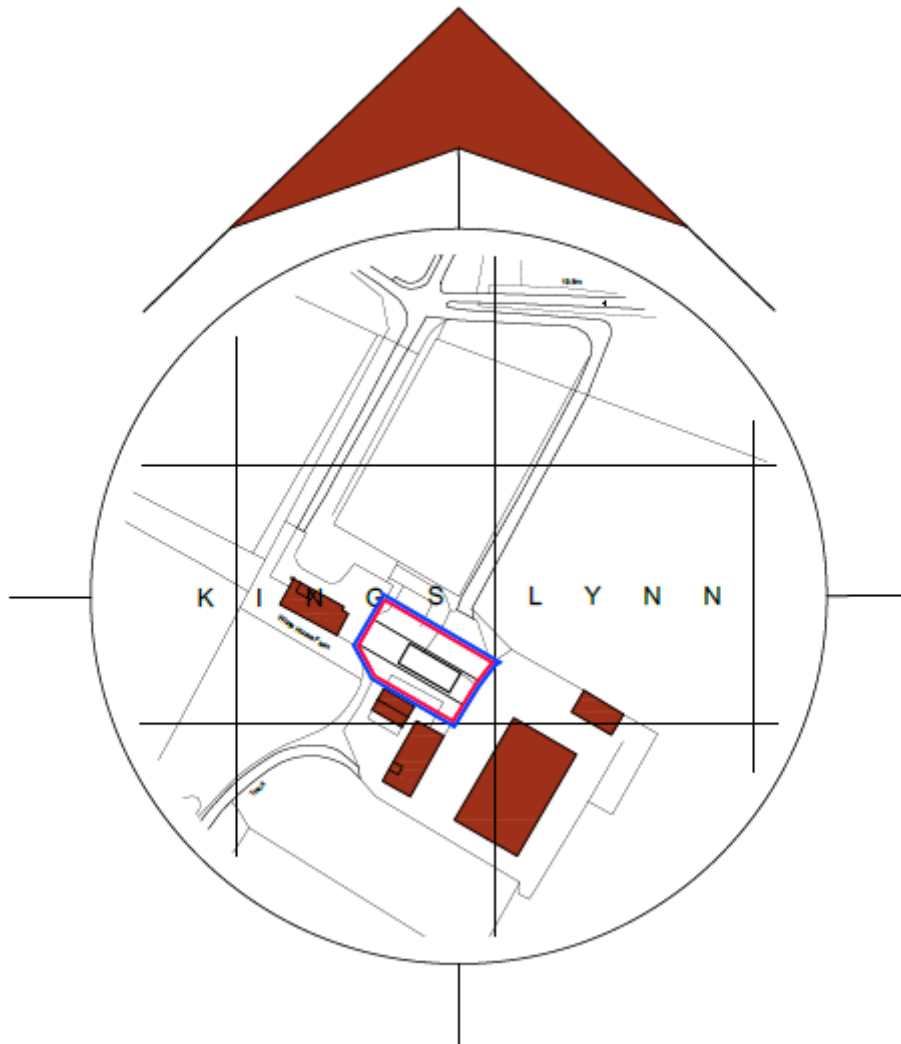


Figure 3: Location Plan

#### 3.2 LAYOUT, SCALE AND APPEARANCE

The proposal will provide a larger garden area than what was approved under APP/V2635/W/20/3261513 and will provide external insulation, hence the requirement for this full planning application. The extended garden area will provide a better level of outdoor private amenity for future occupants which will improve their residential amenities which is supported by

policies of the Development Plan. The installation of external insulation will improve the energy efficiency of the building which supports sustainability principles. As a result of the insulation the building will be clad with timber boarding, which will alter the appearance of the building slightly. However the use of timber boarding is typical of a farm building and therefore the proposal will still remain visually appropriate within its context.



Figure 4: Site Plan

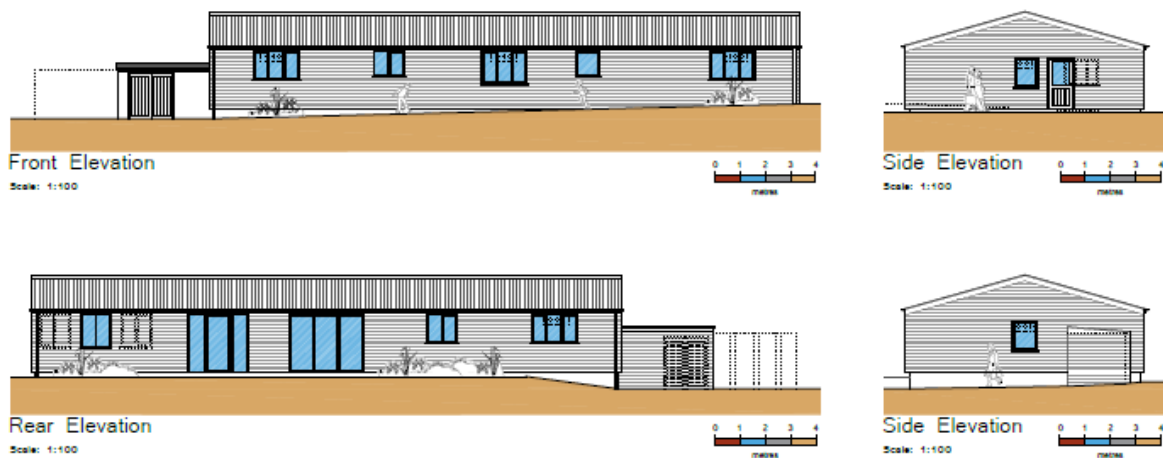


Figure 5: Proposed Elevations

### **3.3 LANDSCAPING**

The extended garden area will provide for better opportunity for landscaping which will enhance the biodiversity, ecology and visual amenities for the immediate area.



## 4.0 ACCESS

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### 4.1 SITE ACCESS

Access to the site will be via the access approved under APP/V2635/W/20/3261513 with no proposed changes. On the basis that the development will be the same as the scheme allowed at appeal in terms of use and scale, the use of the access for the dwelling remains appropriate as per the Inspectors comments.