



SWORDERS

Agricultural Commercial Residential

PLANNING AND DESIGN UPDATE

WELCOME TO SWORDERS' LATEST PLANNING AND DESIGN BROCHURE

Planning is a hot topic and is rarely out of the news, particularly with the Government's drive to encourage the provision of more homes. A number of initiatives have been introduced in an attempt to simplify and streamline the planning process, although it is recognised that the legislation today is more difficult than ever to navigate. We cannot stress enough the importance of good professional advice at the outset of a project, which can save money and time by avoiding the failure of ill prepared and non-policy compliant development proposals.

One of the most controversial changes centres around the change of use of buildings, with the introduction of Permitted Development Rights effectively removing the need for full planning permission. One of these is known as 'Class Q', which allows the conversion of agricultural buildings to dwellings and is discussed fully on page 8.

Other initiatives introduced to streamline the planning process to deliver more housing, such as 'Planning in Principle' (PiP), are also featured, as is the importance for landowners to recognise opportunities to promote their land for new development through the Local Plan process. Please see the brief guide on planning applications and an overview of the design and architectural services that we can provide to our clients.

Our approachable team of professional Planners and Architects in our three Sworders' offices located in Hertfordshire, Warwickshire and Norfolk are of the highest calibre and provide our clients with a professional and courteous service. They work closely with the Surveyors and Valuers to also ensure that values are reasonably maximised where such is the key objective. If you have any queries regarding any of the topics raised in this brochure or would simply like to know more about the services that Sworders can provide, we would be happy to hear from you.

■ MARTIN RANNER

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PLANNING APPLICATIONS

Applications are submitted to the Local Planning Authority to secure planning permission for any works which are deemed to be 'development'. Development includes change of use of buildings or land, construction of new buildings, demolition, engineering or mining operations.

Planning applications are either 'outline' or 'full' planning applications. Outline applications seek approval for the general principle of development; some matters are 'reserved' for later determination. Full applications seek approval for a much greater level of detail, relating to all aspects of the development. Once full planning permission is secured, the development can proceed, as long as any conditions are fulfilled. Other types of consents which may also be required include listed building, certificates of lawful use, and advertisement.



Local Planning Authorities set out the documents required to support a planning application; these normally include a planning statement, scaled plans, and the details of the proposed development. Depending on the scale of the development, a number of other reports may be required, such as a transport, ecology, heritage or flood risk assessment.



Sworders are a multi-disciplinary company which can provide, prepare and submit planning applications for any scale of development. We have extensive experience in securing planning permission on behalf of landowners on a range of sites from minor alterations to large scale residential, mixed use and commercial schemes. We can advise you on and prepare the documents required to support an application, and are experienced in commissioning the range of specialist reports, and collating these to ensure that the application is evidence based and robust. We fully understand the range of issues which need to be considered when preparing an application and are experienced in liaising with

Local Planning Authorities, consulting interested parties such as parish councils and technical experts and coordinating and project managing applications through to the final decision.

STRATEGIC LAND

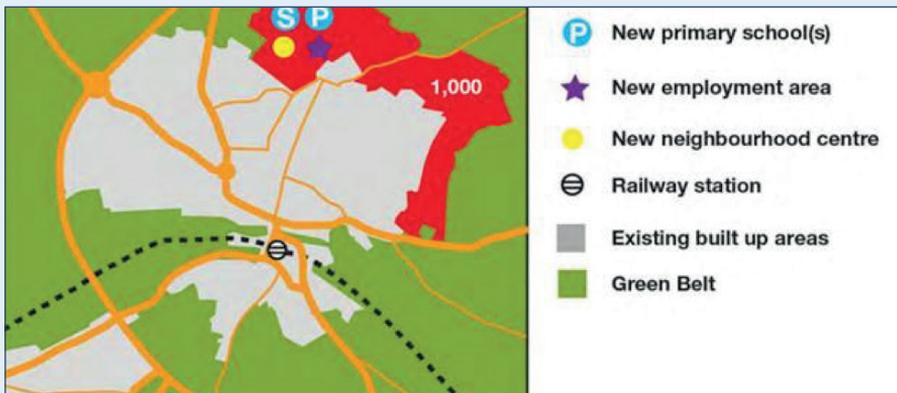
Local Planning Authorities are required to prepare a Local Plan, which provides the development framework for future needs in the district. In most areas of the country, the Local Planning Authority is the District or Borough Council.



Sworders have successfully acted for landowners to promote their land for new development through the Local Plan process. All Local Authorities need to identify sites with development potential to ensure that they have a supply of land to meet future housing need, whether that's in the short term or for up to 15 years.

We would be happy to undertake an initial assessment of your site and, if appropriate, a site visit on a no obligation basis.

Example Extract from Local Plan Allocation secured by Sworders for 1000 dwellings.



Local Plans set out a framework for planned housing, employment, community facilities and infrastructure. The Local Plan must be kept up to date and reviewed every five years.

There is a formal process which Local Planning Authorities go through to review a Plan or prepare a new Plan, the first stage of which is to carry out a public consultation on sites which are available for development. Landowners are asked to submit details of their sites to the Authority. The development potential of these sites are then assessed by the Council's planning officers, who review the planning 'constraints and opportunities' of each site, and identify

whether they intend to include the sites in the new Plan and ‘allocate’ the site for development. The draft Plan is subject to public consultation, and then to Examination by an independent Planning Inspector.



If you are a landowner whose land lies within or close to a town or village, and that land has access from the highway, your land could be considered for future development through the Local Plan process. Sworders have the experience, skills and expertise to advise landowners on whether their land is suitable for promotion for development, and can advise on how your site complies with the strategy and policies in the Local Plan. We have extensive experience in promoting sites to Local Planning Authorities on behalf of landowners.

Our multi-disciplinary team can assess the development potential of a site, advise on a site’s capacity for development, prepare a masterplan or layout plan and liaise with the Local Planning Authority to ensure they have all the information they need to assess and identify the site. We will respond to public consultations on the Plan on your behalf, and seek to secure an allocation through the Local Plan process.

■ LOIS PARTRIDGE



CONFLICTS OF INTEREST?

If your agent does not act for Housebuilders or Promoters in any strategic land matters, does not sell New Homes and does not accept introductory commission or inappropriate corporate hospitality, then you are probably already a Sworders’ client!

DESIGN AND ARCHITECTURE

An understanding of good design and the ability to translate this into high quality drawings is critical to the planning process. In particular, it is of utmost importance to ensure that any designs produced, are not only aesthetically pleasing but are also planning policy compliant, which is best achieved by both the architect and planner working closely together in partnership. At Sworders, this is achieved by both our planning and design teams working together to prepare and submit planning proposals to Local Planning Authorities.



Sworders have a drawing team who have the ability to produce a wide range of high quality drawing types and designs. These include new buildings and dwellings both of traditional and modern design, the conversion and alteration of sensitive heritage buildings, the production of masterplans depicting residential estate layouts and three dimensional drawings for presentation purposes, some examples of which are shown.

■ CLAIRE WAINMAN

Residential Masterplan Layout



Modern House Design by Rory Buchan



Traditional Norfolk Flint Farmhouse design by Mary Moore



DESIGN AND PLANNING PROCESS



CLASS Q

The Conversion of Farm Buildings to Dwellings without the need for Planning Permission

As part of Government's drive to encourage the provision of new homes in rural areas, the relaxation of planning controls concerning the conversion of farm buildings to dwellings, was first introduced just over five years ago. Universally unpopular with Local Planning Authorities, the legislation known as Class Q has, since its inception, undergone a number of revisions, which have provided landowners and farmers with greater opportunities to develop farm buildings for residential purposes.

Class Q legislation originally allowed the development without planning permission of farm buildings, both redundant and in active agricultural use, to provide up to three dwellings to a maximum cumulative floorspace of 450 square metres. This has been increased so that with care and the correct approach, up to five dwellings can now be developed by conversion, with the potential to provide up to 865 square metres of residential floorspace. This is clearly a notable increase and provides an opportunity for farmers and landowners to create significant uplift above agricultural building/land values.

Whilst planning permission is not required to convert Class Q compliant farm buildings to dwellings, a 'Prior Approval' procedure is required to be followed and allows Local Planning Authorities to determine whether the proposal complies fully with the legislation. Securing Prior Approval can both increase value significantly and also



provide a basis for applying to secure full planning permission for higher value new build dwellings in place of approved Class Q conversions. Recent cases at appeal have supported this approach.

Sworders are experienced in advising their clients in regard to Class Q opportunities and guiding clients through the procedure, based on an in-depth knowledge of the legislation and most recent relevant caselaw. Receiving the correct planning advice is particularly important as Class Q legislation is complicated and easily misinterpreted, with many Prior Approval applications failing often on the basis of relatively minor technicalities. If you own any farm buildings either redundant or still in agricultural use that you consider may have Class Q potential, then please do not hesitate to contact us. We will be happy to undertake an initial assessment and, where appropriate, visit the site on a no obligation basis.

■ MARTIN RANNER

CASE STUDY

Sworders achieved on behalf of our client a Prior Notification approval, at appeal, for the conversion of a barn in Havering London Borough from an agricultural barn into a single residential dwelling. The application had been refused due to the lack of details as to the servicing of the proposed dwelling and the provision or availability of amenity space. The inspector agreed with our case that legislation (paragraph Q.2) does not require appellants to provide information

on servicing or amenity space. The lack of such information did therefore not make it impractical or undesirable to convert the building to residential use. Sworders also sought and won a full award of costs to the appellant, by reason of the misinterpretation of the terms of Class Q by Havering LBC. The barn has now been completed and is occupied by our client.



■ JAMES SALMON



PERMISSION IN PRINCIPLE - WHAT IS IT WORTH?

Permission in Principle (PiP) was first introduced for sites on Brownfield Registers. But since June 2018, a PiP application can be made for any housing led development, up to 9 units. The intention was to provide a simpler route for developers, but has so far been a slow burner. As of June 2019, only 4 Councils had granted PiPs through their Brownfield Register; nor has there been an influx in PiP applications.

There are two stages to a PiP: the first assesses the principle of development, having regard to location, land use and amount of development only. If successful, the second stage is for a Technical Details application which effectively grants planning permission.

When compared to an outline application, the PiP is quicker and more cost-effective. The determination period is 5 weeks, and the only drawing required is a location plan (although an indicative layout is still useful). However, there is a risk that show-stopping issues, such as trees or ecology, arise at the Technical Details stage. PiPs are also unlikely to be sufficiently detailed to provide a developer with financial certainty.

Therefore where land is to be marketed, Sworders would still recommend an outline permission, although a PiP may be a useful stepping stone to achieving a permission. Ultimately the PiP is not proving as popular as Government had anticipated, and many Councils remain wary. Nonetheless Sworders have had success in securing PiP consents and can advise Clients on this option.

■ HAZEL IZOD



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SURVEYORS | PLANNERS | ARCHITECTS

As rural property professionals, we advise across the agricultural, commercial and residential sectors on all aspects of rural property. We provide advice that seeks to maximise the value of clients' properties, often on shared risk basis.

To be sure you are maximising the value of your asset, please contact us to discuss your opportunities.



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