



Appeal Decision

Site visit made on 26 January 2021

by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 February 2021

Appeal Ref: APP/K0235/W/20/3261812

Little Farm House, St Neots Road, Bolnhurst MK44 2EP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015.
 - The appeal is made by Mr Colin Hartop against the decision of Bedford Borough Council.
 - The application Ref 20/00970/CPNQ, dated 12 May 2020, was refused by notice dated 1 July 2020.
 - The development proposed is provision of new access, demolition of adjacent structures and conversion of building.
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Decision

1. The appeal is dismissed.

Background and Main Issue

2. Schedule 2, Part 3, Class Q (a) and (b) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) permits development consisting of a change of use of a building and any land within its curtilage from use as an agricultural building to a use falling within Class C3 of the Use Classes Order (UCO); and building operations reasonably necessary to convert the building to a use falling within Class C3 of the UCO.
3. Q.1(i) of the GPDO states development is not permitted if the development under Class Q (b) would consist of building operations other than (i) the installation or replacement of (aa) windows, doors, roofs, or exterior walls, or (bb) water, drainage, electricity, gas or other services, to the extent reasonably necessary for the building to function as a dwellinghouse; and (ii) partial demolition to the extent reasonably necessary to carry out building operations allowed by paragraph Q.1(i)(i).
4. The main issue is whether the proposal satisfies the requirements of the GPDO with regard to being permitted development for a change of use from an agricultural building to a dwellinghouse, having particular regard to the requirements under Class Q.1 (i).

Reasons

5. The appeal relates to four attached agricultural barns, three of which are proposed to be demolished and the remaining barn converted to a dwelling. The barn that would be converted is a pitched roofed, steel portal framed building which is enclosed to all elevations. It is clad in asbestos sheeting to

- the upper side elevations and roof. The lower side elevations are clad in profiled galvanised steel sheeting. The floor is made of earth and concrete.
6. Paragraph 105 of the Planning Practice Guidance (PPG) sets out the building works permitted under Class Q to facilitate a change of use from an agricultural building to a residential use. It confirms the right permits building operations which are reasonably necessary to convert the building, which may include those which would affect the external appearance of the building. This includes amongst other things the installation of windows, doors, roofs and exterior walls to the extent reasonably necessary for the building to function as a dwellinghouse.
 7. The partial demolition of the linked range of buildings, internal works to allow for a floor and the insertion of an upper floor, the recladding of the building including the provision of windows and doors and the provision of services to the building would not on their own constitute building operations which fall outside the scope of Class Q.1 (i).
 8. Notwithstanding the above, the structural survey provided confirms that only a 'simple structural appraisal' of the steel portal frame has been undertaken and that there is capacity for 'minor additional loadings' subject to the strengthening of the frame through retro-fit lateral restraint straps. The survey also confirms that the 'simple assessment' undertaken suggests that the existing stanchion pad foundations are adequate for the stanchion loadings with some 'limited additional capacity' for light weight perimeter wall loadings.
 9. I do not consider that the survey undertaken is sufficiently robust. I would have expected it to include a more detailed investigation of the footings as well as structural calculations to demonstrate that the specific loading associated with the replacement roof and walls, including the large glazed sections, could be supported without any significant structural interventions. Without this, I cannot be certain that the new loading requirements would not exceed the likely limited additional capacity available. Therefore, I am not persuaded that building operations which would go beyond those considered reasonably necessary for the building to function as a dwellinghouse would not be required.
 10. I conclude that I cannot be satisfied that the building operations proposed would not go beyond those listed in Q.1(i) of the GPDO. I am therefore not satisfied that the proposal is permitted development and must dismiss the appeal.

Other Matters

11. The Council's other reasons for refusal relate to the transport and highways impacts of the proposal. As I have found that there is insufficient information provided to demonstrate that the proposal would be development permitted by the GPDO, the detailed prior approval matters under Q.2 (1) of the GPDO do not fall to be considered as part of the determination of this appeal.

Conclusion

12. For the reasons set out, the appeal is dismissed.

M Russell INSPECTOR