



Appeal Decision

Site visit made on 9 October 2024 by Darren Ellis MPlan MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th December 2024

Appeal Ref: APP/W0530/W/24/3340039

Rectory Farm, Grange Road, Ickleton, Cambridgeshire CB10 1TA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant the approval required under Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr J Wombwell against the decision of South Cambridgeshire District Council.
 - The application Ref is 23/03132/PRIOR.
 - The development proposed is described as 'change of use of agricultural building to dwellinghouse (use class C3) and associated operational development.'
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters and Main Issue

3. The above mentioned legislative provisions permit the change of use of agricultural buildings to dwellings. Sub part (a) refers to the change of use and (b) the building operations in relation thereto. The application form and plans indicate that approval is sought for both. It is not in dispute that the proposed development satisfies (a), rather that it would not comply with the provisions under (b) in relation to building operations other than those permitted under Q.1 (i) (i) (aa) or (bb), to the extent they are reasonably necessary for the building to function as a dwelling. This forms the main issue of the appeal.

Reasons for the Recommendation

4. Prior approval was granted in 2015 for the conversion of the building¹. Works commenced, including the removal of the previous walls. They were not completed before the prior approval lapsed. On site, there is currently a steel frame with a metal roof and a concrete base. The appellant has submitted structural reports which indicate that, amongst other things, the load bearing elements of the frame and its supports are suitable for conversion to a dwelling. I have no reason to disagree.

¹ Planning application ref. S/2365/15/PB

5. On the matter of building operations, Planning Practice Guidance (PPG) sets out that such may include the installation or replacement of doors, roofs and exterior walls. The rights under class Q assume that the agricultural building is capable of functioning as a dwelling. It is not the intention to allow rebuilding work which would go beyond what is reasonably necessary for the conversion of the building. Therefore, it is only where the existing building is already suitable for conversion to residential use that the building would be considered to have the permitted development right.
6. The building currently has no external walls and it is unclear whether, having regard to how the proposed roof would appear on the plans, the existing roof would be retained or replaced. New versions of these elements would make up for a substantial part of the eventual building. This, and the other works proposed, are listed in PPG as being accepted under class Q, but the number, variety and scope of them would be so extensive that the scheme would be more akin to creating a dwelling out of what remained of a previous building. Essentially, the quantum of works that would need to be carried out would exceed what which would be reasonably necessary for the building to function as a dwelling.
7. The proposal would thus fail to meet the requirements of paragraph Q.1(i)(i) of Class Q. Since the appeal scheme would, as a result of the above, fail to comply with the description of permitted development, it is unnecessary to assess the proposals against the conditions set out in paragraph Q.2 and the specific prior approval matters of class Q.

Conclusion and Recommendation

8. The proposal would fail to satisfy the requirements set out in Article 3(1) and Schedule 2, Part 3, Class Q of the above mentioned legislation. I therefore recommend that the appeal should be dismissed.

Darren Ellis

APPEAL PLANNING OFFICER

Inspector's Decision

9. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison

INSPECTOR