



Appeal Decision

Site visit made on 30 April 2025

by **S Brook BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 08 May 2025

Appeal Ref: APP/T2350/W/25/3359173

Pinfold Farm, Preston Road, Ribchester, Lancashire PR3 3YD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and 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 & Mrs Bennett against the decision of Ribble Valley Borough Council.
 - The application reference is 3/2024/0545.
 - The development proposed is described as 'Proposed change of use of a building from agricultural to residential use'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. In the banner heading above, I have omitted any wording from the description of the development used on the application form which does not describe an act of development.
3. From 21 May 2024, the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2024/579 came into force, which made changes to Schedule 2, Part 3 Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015, (the GPDO). Transitional arrangements are set out under Article 10 of the amending Order. Where development is permitted by Class Q immediately before 21 May 2024, but not on or after that date, the developer may make a prior approval application in relation to the previously permitted development under Class Q until the end of 20 May 2025.
4. The application form accompanying this appeal confirms that the application was made with the intention to use the permitted development right as it stood prior to 21 May 2024. As such, I have considered the appeal against Schedule 2, Part 3, Class Q of the GPDO as it stood prior to 21 May 2024.

Background and Main Issues

5. Under Article 3(1) and Schedule 2, Part 3, Class Q of the GPDO, planning permission is granted for (a) change of use of a building and any land within its curtilage from a use as an agricultural building to a use falling within use class C3 (dwellinghouses) together with (b) building operations reasonably necessary to convert the building to a dwellinghouse, subject to specified limitations and conditions.

6. Paragraph Q.1(i) indicates that development is not permitted by Class Q(b) if it would consist of building operations other than the installation or replacement of windows, doors, roofs, or exterior walls, or water, drainage, electricity, gas or other services, to the extent reasonably necessary for the building to function as a dwellinghouse, and partial demolition to the extent reasonably necessary to carry out such works.
7. Paragraph Q.2(1) requires the developer to apply to the local planning authority to determine whether the prior approval of the authority will be required as to a number of specified matters.
8. In respect of paragraph Q(b), the Council contend that the proposal does not comply with the limitations of paragraph Q.1(i) on the basis that the building operations proposed would go beyond what could reasonably be considered a conversion. Further, the Council consider that even if the proposal were permitted development, it would not be acceptable with respect to the prior approval matters relating to whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to use as a dwellinghouse, and the design or external appearance of the building.
9. Therefore, the first main issue in this appeal is (a) whether the proposal would be permitted development under Schedule 2, Part 3, Class Q of the GPDO, having regard to the extent of building operations proposed and whether they are reasonably necessary for the building to function as a dwellinghouse. Only if this requirement is met, will it be necessary to go on and consider, (b) whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a dwellinghouse, with particular regard to pedestrian access and parking provision, and (c) whether the design and external appearance of the proposal is suitable having regard to the effect on the character and appearance of the building and the area.

Reasons

Extent of Building Operations

10. While building works are allowed under the right permitting agricultural buildings to change to residential use, as set out above, the Planning Practice Guidance (PPG)¹ sets out that the right assumes that the agricultural building is capable of functioning as a dwelling. The PPG clarifies that it is not the intention of the permitted development right to allow rebuilding work which would go beyond what is reasonably necessary for the conversion of the building to residential use, and that 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. It also clarifies that internal works are not generally development, and for the building to function as a dwelling it may be appropriate to undertake internal structural works, including to allow for a floor, or upper floors.
11. What may constitute 'reasonably necessary' is not defined in either the GPDO or PPG. Relevant caselaw² has established that the building must be capable of conversion to residential use without operations amounting to complete or substantial re-building of the pre-existing structure or, in effect, the creation of a

¹ Paragraph: 105 Reference ID: 13-105-20180615

² *Hibbitt and another v Secretary of State for Communities and Local Government* (1) and *Rushcliffe Borough Council* (2) [2016] EWHC 2853 (Admin)

new building. Whether the extent of work required would comprise conversion or rebuild is therefore a matter of planning judgement.

12. The appeal building is a steel portal framed building, with timber purlins supporting a fibre cement sheet roof and solar panels, a solid concrete floor and low stone/blockwork walls, with timber boarding above. It has double door openings to either end, and a further single door to the southwest elevation. The proposal seeks to change the use of the building to a dwellinghouse, comprising single storey accommodation, with associated building operations.
13. The appeal building has been subject to a structural survey by Paul Snape Consulting, dated June 2024. This confirms that the columns for the portal frame, the steelwork and timber purlins to the roof, the concrete walls and the concrete floor slab are all in generally good condition. The proposed plans and supporting information confirm that these existing elements of the agricultural building would be retained.
14. I appreciate that for the building to function as a dwelling it may be appropriate to undertake internal works. The structural survey references a number of internal works required to provide wall and floor insulation, and internal partitions, along with those further works required to provide the glazing and doorways. It states that the existing slab would be adequate to build the new internal walls off, that the existing foundations would not be affected by the conversion, that the steel frame would not be subject to any additional loading, and that neither would require any modification. It concludes that the building is suitable for conversion to form a dwelling without any significant rebuild. However, this is having stated that 'there is no reason why the majority of the external elements of the building could not be retained'.
15. In this context, I note that the plans appended to the structural survey differ from those provided with the appeal. The plans appended to the structural survey reference the repair of existing roof and modification of the existing timber boarding, rather than replacement.
16. In contrast, the appeal drawings indicate that the existing fibre cement roof would be replaced by a powder coated metal roof, and that external timber cladding is proposed to replace the existing timbers. This appears to extend to all elevations and to floor level. The existing opening to the southeast elevation would be modified to provide bi-fold doors, while the existing opening to the northwest would be removed, replaced by timber cladding. Five new window openings with louvres would be fitted to the northeast elevation, and four new windows, one with a louvre, and a re-positioned door would be located to the southwest elevation. Combined, these proposed works would form a substantial part of the building's façade, comprising replacement of much of the external envelope of the building.
17. From the available information, I cannot be certain that the structural engineer has had sight of the appeal drawings, or that the same conclusions would have been reached, in light of the changes made.
18. I acknowledge that the proposed works shown on the drawings are among those specified by Paragraph Q.1(i) of the GPDO. However, given the extent of these works externally, they would be more akin to a rebuild rather than a conversion. Only the existing frame, floor slab and low walling would be retained, none of which would form part of the building's exterior. Additionally, there is a lack of

certainty as to the applicability of the findings of the structural survey to the appeal scheme, given that it is based on different plans to those before me. As such, I am not satisfied from the available evidence, that the proposed works to the building to accommodate a dwelling would amount to a conversion of the existing building, rather than a rebuild.

19. For the purposes of Class Q(b), I therefore conclude that the extent of the building operations proposed would not be reasonably necessary to convert the building to a dwellinghouse. The proposal would therefore not be permitted development under Schedule 2, Part 3, Class Q(b) of the GPDO.
20. My attention has been drawn to the conversion of a building nearby, also at Pinfold Farm³, which the appellant considers comparable in terms of the external and internal changes proposed for its use as a dwellinghouse. I appreciate the importance of consistency in the decision-making process.
21. The available information suggests that this other building was of a similar construction to the appeal scheme, and the proposed plans include reference to powder coated metal sheeting to the roof and timber cladding to the elevations. However, it is unclear from the plans provided, whether the timber cladding was modified or new. Further, I have not been provided with the Council's Officer Report for this other proposal, in order for me to understand how the proposed building works were considered. Within the associated appeal decision, the extent of the building works proposed was not a matter in dispute. As such, I cannot be certain from the information provided that this example is comparable to the appeal scheme, or that I would have reached the same conclusions as the Council, with regards to the extent of building operations proposed.
22. I have also been referred to an appeal decision at Tithe Barn Lane, Bardsey⁴, which I have considered carefully in relation to matters such as the extent of internal and external works and the findings of the structural survey. However, that appeal scheme involved the retention of the existing vertical timber cladding above the blockwork walls, as well as the fibre cement roof. As such, this example is not directly comparable to the appeal scheme in terms of the extent of the external envelope to be retained or replaced.
23. Given my findings in relation to Class Q(b), there is no need for me to go on and consider the prior approval matters of whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a dwellinghouse, or the design or external appearance of the building, as it would not alter the outcome of the appeal.

Conclusion

24. For the reasons given above, I conclude that the appeal should be dismissed.

S Brook

INSPECTOR

³ APP/T2350/W/21/3274371

⁴ APP/N4720/W/19/3219850