



Appeal Decision

Site visit made on 8 July 2025

by N Bowden BA(Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd July 2025

Appeal Ref: APP/P0240/W/25/3364257

Land to the rear of 29 Silsoe Road, Maulden MK45 2AX

- 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 Gerard Lockey against the decision of Central Bedfordshire Council.
 - The application Ref is CB/24/03561/PAAD.
 - The development proposed is Prior Approval of change of use of agricultural building to dwelling: Conversion of an existing storage building to a dwelling with a 4m rear extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. No description of development was given on the application form, I have therefore used the description used by the Council on its decision notice.
3. Additional plans and documentation were provided with the appeal and these included a site plan of the agricultural unit, lease agreements and statutory declarations. I find that these documents are an attempt to evolve the scheme, and this is contrary to the Procedural Guide: Planning appeals – England. However, there would be no procedural unfairness in my accepting these plans as the Council have commented upon them and in any event, the appeal is to be dismissed. I have therefore taken them into account in reaching my conclusions here.

Main Issues

4. The main issues are whether the proposal would benefit from deemed planning permission, commonly known as permitted development, having regard to:
 - 1) whether the building is part of an established agricultural unit, and
 - 2) whether the proposed extension is sited anywhere other than to the rear of the existing building.

Reasons

The agricultural unit

5. The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the Order) specifies that a change of use of a building that is part of an established agricultural unit to a use falling within Class C3 (dwellinghouses) is permitted development.

6. The appellant has provided a plan that shows the extent of the agricultural unit. Although this is not a particularly large area of land, the size of the unit is not a pre-requisite of the Order. The provided statutory declarations indicate that it has been used for some agricultural purpose since around 1980. Lease agreements date back to 2019. Whilst there is some inconsistency between these documents, particularly in terms of the dates set out in the statutory declarations, this is to be expected given that they relate to periods of time that are over 40 years ago.
7. Given that all the documents broadly support the assertion that the land was, and is, used for agricultural purposes, I am satisfied that, on the balance of probability, the land has been used for this purpose, and it does amount to an established agricultural unit.

Siting of the extension

8. The Order sets out that (inter alia) development consisting of a change of use of a building, that is part of an established agricultural unit or a former agricultural building, to a use falling within Class C3 (dwellinghouses) is permitted development subject to certain conditions and limitations.
9. Schedule 2, Part 3, Class Q.1 (i) (ii) of the Order specifies that development is not permitted if it would result in an extension that is sited anywhere other than to the rear of the existing building.
10. The existing building comprises a modest four bay barn which is finished in dark weatherboarding. It is aligned with its long axis running north to south and is set to the rear of the boundary of homes addressing Silsoe Road.
11. The matter in contention here is which aspect of the barn constitutes the rear of the building. The majority of (but not all) buildings will typically have their fronts addressing the road that provide access to them. However, in this case the building is not set along the road, but to the rear of buildings that address it.
12. The Permitted Development Rights for Householders: Technical Guidance states that in most cases the principal elevation will be that part of the house which fronts the main highway serving the house. It will usually contain the main architectural features such as main bay windows or a porch serving the main entrance to the house and that there will only be one principal elevation on a house. This document does not relate to changes of use to dwellinghouses from barns, nevertheless, it represents a fair starting point for analysis.
13. In this case, the elevation facing the road is entirely closed with only one opening, that being a fire door. Other than this, there is no means of entry to the barn and to all intents and purposes is blank to this aspect. Further, due to the proximity to the boundary the space between the building and boundary is quite limited and suitable for little more than pedestrian and general maintenance access.
14. Conversely, the aspect facing the field features two wide openings and leads to an open area which is laid to gravel. Whilst it may be considered somewhat overambitious to describe these elements as architectural features, it remains quite apparent that this is the functional and practical entrance to the building. No doubt, this aspect is the main point of servicing the building and any related activities would be conducted to this side. Indeed, it would be impossible for any sort of machinery or equipment to be placed in the building from any other

direction. This is further evidenced by the field which the building serves being set to this aspect.

15. Moreover, the proposed development relates to a barn. It is not set along the road with the main preponderance of buildings. Indeed, it is far from unusual in a rural context for a barn or home to have a front aspect which does not directly address the road.
16. For these reasons, I conclude that the rear of the barn is the aspect which faces Silsoe Road. The elevation addressing the field is the front elevation to the barn due to its aesthetic and functional qualities facing this direction. This is where the proposed extension is to be sited and therefore, it cannot comply with Q.1 (i) (ii) as it is sited other than to the rear of the existing building.

Conclusion

17. Whilst I have accepted that the building forms part of an agricultural unit, the proposal incorporates a front extension and thus cannot comply with the provisions of the Order. Therefore, the appeal should be dismissed.

N Bowden

INSPECTOR