



Appeal Decision

Site visit made on 10 June 2025

by **L Wilson BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 25 July 2025

Appeal Ref: APP/M2840/W/25/3362279

**Ritches Lodge Farm, Harrington Road, Braybrooke, North Northamptonshire
LE16 8JW**

- 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) (GPDO).
 - The appeal is made by Ms Rebecca Giles against the decision of North Northamptonshire Council.
 - The application Ref is NK/2024/0682.
 - The development is proposed conversion of agricultural building to one dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would comply with the requirements set out in Article 3(1), Schedule 2, Part 3, Class Q of the GPDO, with particular reference to:
 - Paragraphs Q.(a), (b) and (c);
 - Paragraphs Q1.(i)(ii) and Q1.(i)(vi); and
 - Paragraph Q1.(j).

Reasons

Q.(a), (b) and (c)

3. Class Q of the GPDO states that:
 - (a) a change of use of—
 - (i) a building that is part of an established agricultural unit and any land within that building's curtilage, or
 - (ii) a former agricultural building that was (but is no longer) part of an established agricultural unit and any land within that building's curtilage, to a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order,
 - (b) development referred to in sub-paragraph (a) together with the extension of the building referred to in sub-paragraph (a), or
 - (c) development referred to in sub-paragraph (a) together with building operations reasonably necessary to convert the building referred to in sub-paragraph (a) to a use falling within Class C3 (dwellinghouses) of that Schedule or to extend that building is permitted development.

4. The GPDO was amended in 2024. These amendments included the addition of the ability to extend the relevant building that was subject to a change of use to a dwellinghouse. The proposal seeks to change the use of the existing agricultural building to a dwellinghouse together with an extension and building operations.
5. Taking into account the aims of the amended order and taking a wholistic approach to interpret the wording of Class Q, it is logical that when undertaking a change of use of a building under Class Q.(a), one is permitted to both construct an extension of that building (under Class Q.(b)) and carry out building operations reasonably necessary to extend that building (under Class Q.(c)). Thus, when reading Class Q as a whole and despite the use of the word 'or', Class Q permits Class Q.(a) and Class Q.(b) and Class Q.(c) to all occur at the same time.
6. For these reasons, the proposed development would be in compliance with paragraphs Q.(a), (b) and (c).

Q1.(i)(ii) and Q1.(i)(vi)

7. Development is not permitted by Class Q if the development under Class Q(b) would result in an extension that is sited anywhere other than to the rear of the existing building (Q1.(i)(ii)), or extends beyond a wall that forms a side or principal elevation of the existing building (Q1.(i)(vi)).
8. The principal elevation is not defined in the GPDO. The permitted development rights for householders technical guidance provides a definition for the principal elevation. However, that definition is defined for the specific purposes of Part 1 only, which concerns development within the curtilage of a dwellinghouse, rather than applying to other parts of the GPDO.
9. The appellant sets out that the GPDO aims to ensure that the extension would be subservient to the existing building and sited in the least visible location. In addition, they have highlighted examples where dwellings have a similar relationship to the highway and main entrance as the barn before me.
10. The southeast elevation is currently open, and adjacent to a gravelled area. The northeast elevation also has a smaller opening. The southwest elevation is adjacent to the highway and does not contain any openings. Similarly, the west elevation does not contain any openings. It has been highlighted that the barn was initially the only covered building on the holding, and given the age of the building, it is likely that, to access the barn with modern farming machinery, sheeting to the open elevation was removed to full height many years ago.
11. Generally principal elevation's face towards the main highway and the elevation least visible from the street scene is considered the rear elevation. In this case, that elevation contains no openings and has vegetation directly adjacent. I acknowledge that vegetation can be cut back and there would be space to create an access and opening on this elevation. However, I observed on my site visit that the southeast elevation is the principal elevation of the building. This is because it is the elevation which provides the predominant access to the building and is adjacent to the gravelled area that provides access to the highway. An assessment survey of the structural elements of the existing building has been undertaken. This also notes this elevation as the 'front' elevation.

12. For these reasons, the proposed extension would therefore be a side extension and would be contrary to limitations Q1.(i)(ii) and Q1.(i)(vi).

Q1.(j)

13. Development is not permitted by Class Q if (j) the development under Class Q(c) 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 Q1.(j)(i).
14. The building consists of a steel portal frame, with metal sheeting to the sides, on a concrete pad foundation with a cement-based profile sheeting roof supported on steel angle purlins. An assessment survey of the structural elements of the existing building has been undertaken.
15. The proposed conversion intends to utilise the existing steel framework as the principal support of the proposed development. The assessment survey sets out that the existing foundations to the structure were not exposed, but the standard method of construction for these portal frame barns is to provide a substantial concrete pad foundation, which would be sufficient for the imposed point load for the cumulative future loading. The survey also states that all structural elements of the building were in good condition and the structure of the existing building is assessed as satisfactory for the additional loadings. There is no robust information before me to suggest that the findings of the survey are not accurate. The proposed works include a new roof, walls, and openings which are explicitly allowed under Q1.(j)(i)(aa).
16. Based on the evidence presented, the existing building is suitable for conversion to residential use, and the set out building operations are reasonably necessary to convert the building. The works do not result in substantial demolition of the existing structure, as set out by the Council. The building is capable of conversion to residential use without operations amounting to complete or substantial re-building of the pre-existing building or, in effect, the creation of a new building.
17. For these reasons, the proposal would comply with paragraph Q1.(j).

Other Matters

18. The appellant has expressed dissatisfaction with the way the Council has dealt with the application, taking into account the aims of the Order, and the National Planning Policy Framework as well as the Government's housing targets. The other matters raised do not overcome my findings above.

Conclusion

19. I have found that the proposed development would be in compliance with paragraphs Q.(a), (b) and (c), as well as paragraph Q1.(j). However, it would be contrary to limitations Q1.(i)(ii) and Q1.(i)(vi). Therefore, the proposed development would not comply with the requirements set out in Article 3(1), Schedule 2, Part 3, Class Q of the GPDO.

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

L Wilson

INSPECTOR