



Appeal Decision

Site visit made on 5 November 2025

by **C Skelly BA (Hons) MSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20 November 2025

Appeal Ref: APP/D0515/W/25/3369862

Graysmoor Farm, Graysmoor Drove, Elm, Cambridgeshire PE15 0BG

- 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 Farmland Reserve UK against the decision of Fenland District Council.
 - The application Ref is F/YR24/0948/PNC04.
 - The development proposed is Change of use from agricultural building to 4 x dwellings.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of the proposed development on the application form, stated 'please refer to the planning statement'. I have therefore used the description of development taken from the Council's Decision Notice, which was replicated on the appeal form in the banner heading above.
3. On 21 May 2024, Statutory Instrument 2024 No. 579 (SI No. 579) came into force amending Article 3(1), Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO). In line with transitional arrangements, I have determined this appeal in accordance with the GPDO provisions that were in place prior to 21 May 2024. All references to the GPDO in this decision therefore relate to the version that was in force at that time.

Main Issue

4. It is common ground between the main parties that the appeal scheme meets the requirements of Paragraph Q.1 of Class Q of the GPDO such that it would constitute permitted development, subject to the prior approval of certain matters specified in paragraph Q.2 (1). These include a) transport and highways impacts of the development and e) whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses) of Schedule 1 of the Use Classes Order. The Council refused the application on the basis that the proposed development would not satisfy these prior approval matters as the proposal would not be served by a safe and suitable access.
5. Consequently the main issue is whether the proposed development would satisfy the prior approval matters at paragraphs Q.2 (1) (a) and (e) of Schedule 2, Part 3,

Class Q of the GPDO with regard to the effect of the proposed development on transport and highways and consequently whether the location or siting of the building makes it impractical or undesirable for the building to change from agricultural use to a use class falling within Class C3 (dwellinghouses).

Reasons

6. The appeal building sits in a rural landscape to the north of Graysmoor Farm. It comprises a steel portal framed building, the walls of which are clad with profiled metal sheeting and cement corrugated sheeting, with a large, roller-shutter door to its southern side.
7. Vehicle access to the site is via a single unmade track which runs from Graysmoor Farm and then bends around before connecting with Graysmoor Drove. Graysmoor Drove is a two-way classified C road, which is subject to a 20mph speed limit and is approximately 4.1m at its widest. This road is rural in character and set within an agricultural landscape. Due to the lack of field boundary treatments, visibility along the road is good. However, the road has an undulating surface with a deep drainage ditch running along one side of the road. There is evidence that informal passing points have been created which are very uneven with significant sized potholes. While only a snapshot in time I observed that Graysmoor Road had low traffic levels. Nevertheless, given the rural context I recognise that usage by farm vehicles and LGVs is likely to fluctuate throughout the year.
8. The proposed dwellings would generate associated domestic traffic from future occupants, visitors, deliveries and would also require domestic waste collection services. A Technical Note¹ (TN) has been prepared which shows that three passing places would be provided along the track between Graysmoor Drove and the appeal building, which would provide satisfactory access to the proposed dwellings, subject to appropriately worded conditions.
9. An Automatic Turning Count (ATC) carried out as part of the TN demonstrated that during the 7-day survey undertaken during September 2024 that there were 115 daily two-way movements along Graysmoor Drove. TRICS data has been used to determine that the proposed development would generate 19 additional daily two-way traffic movements compared with the existing level, which equates to an increase of 16.5%. Although this would be a modest increase, in my view it is likely that conflict between opposing traffic would be more common and given the site's rural character this is likely to be with large agricultural vehicles and LGV's. The intensified use of the passing bays would lead to their further erosion and conditions would deteriorate following periods of rain. As the vehicles associated with the proposed dwellings would generally be of domestic type, they are unlikely to be equipped to use the rough surface of the passing bays. This could lead to vehicles waiting at the junction with the busier Twenty Foot Road or reversing backwards to the appeal site entrance, which would be a difficult manoeuvre given the width of the road and presence of a drainage ditch.
10. Whilst the TN concludes that instances of vehicle conflict along Graysmoor Road would remain infrequent, it suggests based on recommendations from the County Council's Highways team, that the informal passing bays are formalised to better accommodate bi-directional movements. The County Council's highways team did

¹ Prepared by the Transportation Consultancy Ltd dated September 2024

not object to the proposal subject to a condition requiring that the passing bays along Graysmoor Drove are implemented as shown on the submitted drawing number 211069-01 Rev- prior to occupation. Despite the lack of recorded accidents in proximity to the site, based on my observations and the submitted information I find no reason to conclude otherwise. However, as the proposed passing bays are not part of the building's curtilage the proposed works are outside the scope of the prior approval process.

11. Overall, this leads me to find that in the absence of the provision of formal passing bays, that Graysmoor Drove would not provide a safe and suitable access route to the dwellings. In this respect it would fall short of the expectations at paragraph 114 of the Framework, which seeks to ensure that safe and suitable access to the site can be achieved for all users. Accordingly I find that the proposed development fails to satisfy the prior approval matters at paragraph Q.2 (1) (a) and (e) of Schedule 2, Part 3, Class Q of the GPDO in relation to transport and highways impacts and consequently the location or siting of the building makes it impractical or undesirable for the building to change from agricultural use to a use class falling within Class C3 (dwellinghouses). Therefore, prior approval should not be granted.

Conclusion

12. For the reasons given above the appeal should be dismissed.

C Skelly

INSPECTOR