
Appeal Decision

Site visit made on 1 October 2025

by **N Kempton BAHons, PGDip, MA, IHBC, MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19 December 2025

Appeal Ref: APP/Z2505/W/25/3367067

Friths Farm, Fen Road, Frampton West, Boston, Lincolnshire PE20 1SA

- 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 Andrew Bush against the decision of Boston Borough Council.
 - The application Ref is B/25/0088.
 - The development proposed is conversion of agricultural buildings into 6 dwelling houses.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. On the 21st May 2024, the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2024/579 came into force. It made revisions to Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO). The application that is the subject of this appeal was determined on 30th April 2025. There are transitional provisions set out under 2024/579 Article 10 of the amending Order. However, the appellant has not requested that the transitional arrangements be applied in the determination of this appeal. As such, I have determined the appeal against the amended version of Class Q.

3. The Council's decision notice refers to policies 2, 3 and 30 of the South East Lincolnshire Local Plan (2015). In accordance with the GPDO, I have taken account of this policy insofar as it is relevant to the prior approval matters. However, since there is no statutory requirement to determine applications for prior approval in accordance with the development plan, the primary basis for my assessment is the Order itself. Similarly, I have taken account of the National Planning Policy Framework (the Framework) insofar as it is relevant to the prior approval matters.

Main Issue

4. The proposal relates to works under 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), for the change of use of an existing agricultural building to a dwelling (Use Class C3) with associated works.

5. The main issue is whether the location or siting of the building would make it undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order, to a dwellinghouse in

terms of whether the proposal would provide satisfactory living conditions for future occupiers, with regard to noise and disturbance.

Reasons

6. Class Q.2(1)(e) relates to 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).

7. The appeal buildings form part of Friths Farm on Fen Road. Situated to the rear of a dwelling and associated garden, the appeal buildings comprise a group of linked agricultural storage buildings constructed of brick and sheet materials. Beyond this group, is a detached agricultural building presently used as a grain store, and agricultural yard, which are outside the scope of this appeal.

8. The group of linked buildings subject to this appeal, are in close proximity to the agricultural building and yard, which could lawfully be used to store and operate agricultural machinery and potentially for accommodating livestock. Although the appellant highlights that the agricultural enterprise does not involve livestock and that farm vehicles can use a separate access, there is no guarantee that that would remain the case. The agricultural sector is a dynamic one and it is foreseeable that agricultural operations could be subject to change to respond to changing markets and climate conditions.

9. Unrestricted agricultural use or hours of operation, which may be subject to change at any time with no recourse to planning, could be detrimental to the living conditions of future occupants who would be likely to find such uses a source of unwanted noise and odour. In the absence of substantive evidence to show otherwise, the nature, frequency, and timing of such disturbance would be likely to unacceptably affect the enjoyment of their property.

10. Acoustic fencing is proposed along the western and eastern boundaries as a mitigation measure, but such provision is absent along the agricultural access which borders the southern boundary of the appeal site. The submitted plans show that bedrooms border the vehicular access which serves the agricultural yard. This access would also afford access to the proposed residential units. As such, the noise assessment indicates that noise levels in this area would exceed guideline values for internal ambient noise levels. Furthermore, flood risk mitigation requirements would necessitate raised floor levels in some areas of the site, such that windows in a number of rooms, which face towards the agricultural site, would be above the height of the acoustic fence. I note the objection from the Council's Environmental Health department, for these reasons.

11. Residential conversion of the group of linked agricultural storage buildings in this farm complex could be subject to an occupancy restriction such that the occupants are involved in agriculture. However, such occupants normally have strong functional reasons to justify living so close to agricultural operations. Their expectations in relation to living conditions would be seen through that prism and balanced against the need and convenience of being on site. As such this is different to a residential occupant unconnected with the agricultural operation, where tensions between the respective domestic and agricultural uses would be more likely to emerge.

12. Whilst the appellant may accept an occupancy condition, there is no substantive evidence of a justified need for the proposed 6 additional dwellings in connection with the agricultural use on site.

13. The proximity of the proposed dwellings to the agricultural buildings, yard, access and associated activity, means that future occupiers would likely be subject to unreasonable levels of disturbance.

14. Consequently, it is not shown that the proposed dwellings would achieve a high standard of amenity for future occupants in accordance with the expectations of paragraph 135f) of the Framework.

15. The appellant references a case where prior approval was granted for residential conversion of agricultural buildings in the absence of a noise assessment. The appellant considers that the Council's decision making on this current case is inconsistent with that previous application, despite being closer to a busy road than the appeal proposal. Insufficient details of that application have been provided to enable a detailed comparison with the appeal scheme before me. In any event, I have assessed the appeal on its own merits in relation to the relevant constraints of the GPDO in this instance. Hence, that example would not lead me to a different view.

16. Based on the evidence before me, the location of the appeal buildings is considered to make it undesirable for these buildings to be used as dwellinghouses in terms of the effect on the living conditions of future occupiers, with particular regard to noise and disturbance from the adjacent agricultural building, yard and access road.

Conclusion

17. For the reasons given above, the appeal is dismissed.

N Kempton

INSPECTOR