



Appeal Decision

Site visit made on 7 January 2026

by **H Miles BA (hons), MA, MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 26 January 2026

Appeal Ref: APP/T2215/W/25/3373927

Farmland Rear of Drudgeon Farm, School Lane, Dartford DA2 8AP

- 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 George Sawyer against the decision of Dartford Borough Council.
 - The application Ref is DA/25/00857/P3Q.
 - The development proposed is change of use from an agricultural building to 5 dwellings (C3 Use class).
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Decision

1. The appeal is dismissed.

Main Issue

2. This appeal relates to an application for prior approval. However, there is dispute between the main parties as to whether the development would be permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO) subject to compliance with all relevant limitations and conditions.
3. Therefore, the main issue is whether the proposed development would be permitted by Schedule 2, Part 3, Class Q of the GPDO.

Reasons

4. Part Q (a) of the GPDO permits development consisting of 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.
5. Part X provides a definition of an established agricultural unit, which for Class Q is agricultural land occupied as a unit for the purposes of agriculture on or before 20th March 2013 or for 10 years before the date the development begins. It also specifies that the term 'agricultural use' refers to uses of agriculture for the purposes of a trade or business.
6. Firstly, for this case it is relevant to consider whether the proposal would be permitted development under Class Q a). Of relevance to this appeal, this includes whether the building is or was part of an established agricultural use.
7. Prior approval was granted for the replacement of a single storey agricultural storage building in 2006, which is the building that is the subject of this appeal. Whilst the detail with regard to the use at this time is limited, I do not have

conflicting evidence, and therefore it appears that before 20th March 2013 the building was occupied for the purposes of agriculture and was part of an established agricultural unit.

8. Subsequently, the evidence indicates that in 2019 this part of Drudgeon Farm was used for travelling showpeople which is a non agricultural purpose. In connection with this, an injunction was served relating to the land including and around the barn to prevent the use of the land for stationing caravans/mobile homes for human habitation. These occupiers had vacated the site sometime in 2021. I do not have evidence that satisfies me that an agricultural use existed alongside this and therefore, the use of the site as an established agricultural unit ceased.
9. The appellant has indicated on their application form that the site is currently part of an established agricultural unit and was on 24 July 2023. There is a statement from the appellant that hay is cut and stored within the barn and sold, and hay was stored in the barn in 2025 and at the time of my site visit. There is also a photograph from 2022 that appears to show cropping lines, although a photograph from 2024 is less clear. However, there is contradictory evidence from the LPA. It indicates that photographs between 2019-2021 show no hay storage in the barn, in 2024 an ariel photo does not show cropping lines, and site visits in 2025 indicated that neither the barn nor the surrounding land was in agricultural use, with little evidence of hay cropping in September 2025. Furthermore, there is little detail as to how the agricultural use operates as a trade or business or for the productive purposes of agriculture.
10. Taking all this into account, I am not satisfied from the evidence in this case that the land is currently part of an established agricultural unit and consequently Q a) i) would not apply.
11. Part Q a) ii) permits development of former agricultural buildings that were part of an established agricultural unit. Given my findings relating to the use of the site and the building in 2006, this would apply. I will therefore go on to consider the limitations and conditions set out at Q1 b). I have found that the site was not part of an established agricultural unit on 24th July 2023. Consequently points b) i) and ii) would not prevent development. However, point Q1 b) iii) does not permit development under this class where, since ceasing to be part of an established agricultural unit, the site has been used for any non-agricultural purpose. In this case the use of the site by travelling showpeople, as set out above, would fall under this criteria. As such, development would not be permitted by point Q1 b) iii).

Other Matters

12. For the reasons set out above the appeal scheme is not permitted development. Therefore, it is unnecessary to proceed to consider the prior approval matters.

Conclusion

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

H Miles

INSPECTOR