



Appeal Decision

Site visit made on 15 January 2026

by G Sylvester BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 February 2026

Appeal Ref: APP/K0235/W/25/3374844

Moor End Farm, Moor End Lane, Radwell, Bedford MK43 7HY

- 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 and Mrs Jonathan Ibbett against the decision of Bedford Borough Council.
 - The application Ref is 25/00511/CPNQ.
 - The development proposed is the conversion of existing agricultural building to provide four-bedroom dwelling house.
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Decision

1. The appeal is allowed and prior approval is granted under the provisions of 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 GPDO") for the conversion of existing agricultural building to provide four-bedroom dwelling house at Moor End Farm, Moor End Lane, Radwell, Bedford MK43 7HY, in accordance with application ref, 25/00511/CPNQ and the details submitted with it pursuant to Article 3(1) Schedule 2, Part 3, Paragraph Q.2(1) of the GPDO. The approval is subject to the condition that the development must be completed within a period of 3 years from the date of this decision and subject to the additional conditions in the attached schedule.

Preliminary Matter

2. In accordance with transitional arrangements the appeal proposal will use the permitted development right under Schedule 2, Part 3, Class Q of the GPDO as it stood prior to 21 May 2024, and I have determined the appeal on that basis. The local authority found the proposed development to constitute permitted development under Class Q, subject to the prior approval of certain matters in Paragraph Q.2 and I have no basis to conclude otherwise.

Background and Main Issues

3. Paragraph Q.2(1) states that development under Class Q is permitted subject to prior approval of a number of matters on application to the local planning authority. Those matters include (b) the noise impacts of the development, (d) flooding risks on site 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 to the Use Classes Order.
4. Following submission with the appeal of a Noise Report and Flood Risk Assessment, the Council is satisfied that impacts and risks under prior approval matters Q.2(1)(b) and (d) are not unacceptable and is no longer defending the first

two reasons for refusal. I have no reason to reach a different view on those matters.

5. Consequently, the only matter of dispute between the parties is whether the location and siting of the building would make it undesirable for the proposed dwellinghouse use, with particular regard to the effects of disturbance and odour on the living conditions of future occupiers of the proposed dwelling. As such, that is my main issue in this appeal.

Reasons

6. The Planning Practice Guidance¹ states that for the purposes of Paragraph Q.2(1)(e) “undesirable” means “harmful or objectionable”, and it continues that the location of the building whose use would change may be undesirable if it is adjacent to other uses, such as intensive poultry farming buildings, silage storage or buildings with dangerous machines or chemicals.
7. The appeal relates to a stone constructed agricultural barn within a group of agricultural and equestrian buildings at Moor Farm. To the north of the appeal building are three buildings described as barns. The largest barn by footprint has the appearance of a livestock building with an open side facing south which is partly enclosed by roller shutters and low height doors. The second largest barn, located slightly further away, has an open side that faces the north elevation of the appeal building across an area of land that would be used by farm vehicles and machinery to access the building. They would drive close to the wall of the appeal building given the relatively narrow gap between it and the largest barn. The third barn is small, in poor condition and therefore is unlikely to be in active use.
8. The largest barns at Moor Farm appeared to be in good condition and would have a close relationship to the proposed dwelling. The second largest barn was being used to store hay bales and the largest has accommodated animals in the recent past, as stated by the Council and the appellants’ Noise Report. The appellants state that Moor Farm sees limited activity now that most farming on the holding is carried out at the New Farm complex of buildings to the west beyond the railway line.
9. The holding is described as operating a mixed, low intensity arable and pasture system, with limited livestock raised for meat. Whilst at the time of my visit there were no animals being housed in the barns at Moor Farm or machinery being operated, or indeed being present, those barns appear fully capable of being used and supporting more intensive farming activities than currently take place, and commensurate with their respective sizes and conditions. There is nothing of substance to suggest that could not occur and this is not a case where the use of those barns has obviously permanently ceased.
10. It is reasonable to assess the effects of odour and disturbance on the living conditions of future occupiers of the proposed dwelling based on how those barns could be used. Although the livestock capacity of the largest barn is not specified, it is a sizeable building that would appear capable of housing a large number of animals. Given the largely open-sided design of the barn and its close association with the proposed dwelling, disturbance to the future occupiers would be expected to arise from animal sounds and strong odours emanating from that building.

¹ Paragraph: 109 Reference ID: 13-109-20150305

Those effects would be worse during warmer weather as occupiers of the proposed dwelling are more likely to open windows for ventilation and cooling.

11. Farm machinery and vehicles operating around those largest barns would generate significant disturbance close to the proposed dwelling, particularly along its north and east walls where several habitable rooms have windows. This would be expected to include sounds emanating from activities involved in operating machinery, such as sudden and sharp sounds of different tones from the loading and unloading of items to/from the building, and the running of engines of manoeuvring farm vehicles. The nature of those sounds in combination and occurring in close proximity to the proposed dwelling would be particularly annoying and disturbing to future occupiers.
12. Whilst such activities would not be continuous, they would be somewhat unpredictable and could take place at night or early in the morning when occupants are sleeping or when windows are open in warm weather. Given the close association of the barns to the dwelling, those affects would hardly be any different regardless of which vehicle access track is used.
13. Noise levels recorded over several days during summer at locations near to the proposed dwelling were found by the appellants' Noise Report to be below World Health Organisation environmental noise guideline levels and typical of a quiet rural location. There is no dispute over the noise levels assessed by the appellants. However, although noise levels are a relevant factor in the assessment of disturbance, I consider that it also requires a degree of subjective site-specific judgement based on the nature and intensity of activities that could reasonably occur given the land-use, and the character of the sounds likely to be generated by them. It seems likely that the effects of more intensive farm activities commensurate with the respective sizes and conditions of those barns could not have been fully reflected in the monitoring of noise levels, which although continuous over a number of days is a snapshot in time.
14. Given the close proximity of the barns to the proposed dwelling it is my judgement, notwithstanding the noise levels recorded by the appellants, that disturbance from the character of sounds emanating from typical farm activities commensurate with the sizes and conditions of those barns would be at a level that would be objectionably harmful to the living conditions of future occupiers of the proposed dwelling. Disturbance could be largely continual over long periods of time in the case of animal sounds and odour, and through the operation of machinery and vehicles it could be unpredictable and occur at any time of the day or night. Consequently, the effects of disturbance would make the location and siting of the building undesirable for it to change from agricultural use to a dwellinghouse.
15. Although horses and residential uses can coexist, the 1990's planning permission indicates that the permitted equestrian use would allow stabling for a large number of horses at the horse livery, riding lessons, and unspecified equestrian events. These leisure activities, including the comings and goings of those involved, would likely take place in close proximity to the proposed dwelling and on weekends when residents are more likely to be at home. Whilst there is little evidence that the equestrian use has operated recently there is nothing of substance to indicate that it could not resume in the future. The presence of the proposed dwelling might even encourage this by providing a degree of surveillance in an otherwise remote location.

16. In isolation from the disturbance that would be caused by the agricultural use of the nearby buildings and the land around them, disturbance from those equestrian activities would not be significantly harmful to the living conditions of future occupiers of the proposed dwelling. However, as it would appear to be capable of operating in addition to those farming activities it only adds to my conclusion that the location and siting of the building would make it undesirable to change from agricultural use to a dwellinghouse.
17. The appellants appear to imply that only odour or disturbance amounting to a statutory nuisance should be considered significant. However, in my judgement, those effects do not need to reach the threshold of statutory nuisance in order to be considered harmful to the living conditions of residential occupiers. In this case, the Environmental Health Officer appears to have focussed on pollution control and their stance of no objection in relation to the effects of odour and disturbance cannot be taken as an indication that the proposal is acceptable in planning terms. In any case, the Council refused prior approval and I have judged the proposal on its own merits and found harm.
18. Although Class Q of the GPDO facilitates the provision of new homes in agricultural settings, indicating a degree of acceptance that dwellings and agricultural uses will coexist, this does not mean all such proposals are acceptable in terms of disturbance, hence the safeguard through the prior approval process.
19. The replacement dwelling, which already has planning permission is situated further from the farm buildings and on the opposite side of the access road, making it less affected by disturbance from activities at the farm. It replaced a dwelling that had a long-established lawful residential use, so it is unsurprising that its permission included no noise-mitigation conditions. For these reasons, it does not provide a meaningful comparison to the proposed dwelling in the appeal.
20. Paragraph W of Part 3 of the GPDO allows conditions to be imposed on the grant of any prior approval in certain circumstances. It is relevant that the appellants are workers at the farm and are seeking a family dwelling. Therefore, an agricultural occupancy condition would ensure that they, as the intended occupiers, would have some control over the sources of odour and disturbance at the farm and a lifestyle compatible with their effects. They would cause some of those effects during their day-to-day working activities. Consequently, as it would overcome my concerns regarding the undesirability of the building changing use to a dwellinghouse, I am satisfied that a restricted occupancy condition is a necessary and reasonable restriction in specific circumstances of this case and meets the tests in the National Planning Policy Framework ("the Framework").
21. For the reasons given above, I conclude that subject to an agricultural occupancy condition, the location or siting of the agricultural building would not make it undesirable to change use to a dwellinghouse, with particular regard to the effects of odour and disturbance on the living conditions of its intended future occupiers. Therefore, it would comply with the provisions of Q.2(1)(e) of the GPDO and Framework paragraphs 135 and 198, insofar as planning decisions should ensure a high standard of amenity for future users, and avoid noise giving rise to significant adverse impacts on health and the quality of life.

Other Matters

22. The main issues considered by an Inspector in appeals at Sharnbrook², appear not to be similar to the main issues before me in this appeal, and therefore those decisions are of limited relevance and weight to my assessment of this appeal.

Conditions

23. Given my findings above, a condition is reasonable and necessary to restrict the occupancy of the dwelling to a person solely or mainly working as a rural worker at Moor End Farm and their dependants. Occupation of the proposed dwelling by any other persons would be undesirable for the reasons set out above as they would be expected to have little, if any, control over the sources of noise and odour.
24. Conditions securing the investigation and remediation of any ground contamination, and a drainage strategy to manage the risk of surface water flooding, are necessary to mitigate any health and safety risks, and to ensure safe occupation. Given the recommendations in the appellants' bat activity surveys and evidence of roosting, it is necessary to impose conditions to avoid the development causing them harm as legally protected species. To ensure its effectiveness, I have required the lighting to be retained and maintained as approved.

Conclusion

25. For the reasons given above the appeal should be allowed and prior approval should be granted.

G Sylvester

INSPECTOR

² APP/K0235/W/22/3302658, APP/K0235/W/21/3286097, APP/K0235/W/22/3297359

Schedule of conditions

- 1) The development hereby permitted shall be carried out in accordance with the following approved plans: 22115 (D) 010 Revision C; 22115 (D) 100 Revision A; 22115 (D) 101 Revision B; 22115 (D) 120; 22115 (D) 125 Revision A; 22115 (D) 130; and 22115 (D) 140.
- 2)
 - a) No development shall be commenced prior to the submission to, and agreement of the Local Planning Authority of a written Preliminary Environmental Risk Assessment Report containing a Conceptual Site Model that indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites) with view to determining the presence of contamination likely to be harmful to human health and the built and natural environment.
 - b) If the Local Planning Authority is of the opinion that the report which discharges (a) above, indicates a reasonable likelihood of harmful contamination then no development approved by this permission shall be commenced until an Intrusive Site Investigation Risk Assessment Report has been submitted to and approved by the Local Planning Authority which includes (i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and (ii) The results from the application of an appropriate risk assessment methodology.
 - c) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report, if required as a result of (b) above, has been submitted to and approved by the Local Planning Authority.
 - d) This site shall not be occupied, or brought into use, until (i) All works which form part of the Remediation Method Statement report pursuant to the discharge of (c) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme, and (ii) A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.
- 3) Any contamination, other than that reported by virtue of Condition 2 encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site. Works shall be temporarily suspended, unless otherwise agreed in writing during this process because the safe development and secure occupancy of the site lies with the developer. Should no ground contamination be encountered or suspected upon the completion of the groundworks, a statement to that effect shall be submitted in writing to the Local Planning Authority prior to the first occupation of the development hereby approved.
- 4) No development shall take place until a scheme for surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The

development shall thereafter be carried out in accordance with the approved details and completed prior to the occupation of the dwelling hereby permitted.

- 5) No development shall take place unless the local planning authority has been provided with either a licence issued by Natural England pursuant to Regulation 53 of the Conservation of Habitats and Species Regulations 2018 (as amended) authorising the specified activity/development to go ahead or additional information to demonstrate that a licence will not be required.
- 6) No new external lighting shall be installed within the development except in accordance with an external lighting scheme submitted to and approved in writing by the Local Planning Authority prior to the erection of any lighting. The lighting shall thereafter be retained and maintained in accordance with the approved scheme.
- 7) The occupation of the dwelling hereby approved shall be limited to a person solely or mainly working in agriculture at Moor End Farm, Moor End Lane, Radwell, Bedford MK43 7HY, and to any resident dependants.

End of schedule