

# Conversion of agricultural building to two storey dwelling

Lane Side Barn  
Grindleton Road  
Grindleton  
Clitheroe  
BB7 4QH

**Supporting  
Statement**  
September 2024



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## 1 Development Proposal & Application Process

- 1.1 The development proposal is for the conversion of an existing roadside barn into a detached residential dwelling. The application is a prior approval notification submitted under Class Q, Part 3, Schedule 2 of the General Permitted Development Order 2015 (as amended).
- 1.2 On 21 May 2024 the Class Q process was revised by Statutory Instrument 2024 No. 579. Article 10. of the Statutory Instrument sets out transitional provisions that allows applicants to continue to make submissions under the pre-existing arrangements (i.e. those that were applicable prior to 21 May 2024) until the end of 20<sup>th</sup> May 2025. This Class Q prior approval notification has been submitted under those pre-existing arrangements. The provisions of the Class Q legislation considered and referred to within this statement are those that which existed immediately prior to 21 May 2024 and not the newly introduced provisions.

## 2 Planning History

- 2.1 Consent to convert the application premises to a new dwelling has previously been permitted under Class Q, Part 3, Schedule 2 of the General Permitted Development Order 2015 (as amended). A copy of the Council's decision notice (Planning Ref. 3/2021/0307) is appended to this statement (the decision notice title erroneously refers to Class R of the regulations, but it is apparent from all other information that the application was assessed under Class Q).
- 2.2 This notification seeks permission for a new consent to convert the building. The proposed works are practically identical to the scheme that was previously considered and accepted by the Council under 3/2021/0307. It should be noted that the drawing available to download from the Council's website for application 3/2021/0307 is drawing ref. 2841.3, whereas the decision notice makes it clear at condition 2 that drawing 2841.3A was the plan that was approved.
- 2.3 A further prior approval notification submission to convert the premises to a residential dwelling under Class Q was submitted to the Local Planning Authority in June 2024 (Planning Ref. 3/2024/0380). That submission was also practically identical to that previously permitted by the Council under Planning Ref. 3/2021/0307. Planning Ref. 3/2024/0380 was however refused by the Council for two reasons those being: -
  - '1. The application's supporting information is considered to be insufficient in as much that it fails to provide definitive confirmation that significant reconstruction works would not be required to the application building in order to support the residential use proposed. The proposal therefore fails to satisfy

*Class Q.1 (i) and (ii) of Schedule 2 Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015.*

2. *The cumulative land area occupied by the dwelling's garden area and adjacent parking and turning area i.e. curtilage would exceed the footprint area of the barn building subject to the proposed residential conversion. The proposal therefore fails to satisfy Class Q (a) and paragraph (x) of Schedule 2 Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015.'*

2.4 This revised submission seeks to address those reasons for refusal. The Council's assessment of the previous submission (3/2024/0380) indicated that the development proposal was acceptable with respect to all other considerations.

### **3 Ability of the building to be converted.**

3.1 The first reason for refusal in relation to planning 3/2024/0380 was essentially that there was no up-to-date structural information to demonstrate that the building was capable of conversion to a residential dwelling. Whilst the Council had previously accepted the ability of the building to be converted, in the absence of up-to-date information the notification was refused.

3.2 This revised notification is now accompanied by a fully detailed structural report prepared by Noriker Consulting Engineers in August 2024. The report considers in detail the ability of the building to be converted and explains the works that need to be undertaken. The building is confirmed by the structural report as being suitable for conversion.

3.3 Class Q (b) of the relevant permitted development provisions allow for '*building operations reasonably necessary to convert the building ... to a use falling within Class C3 (dwellinghouses)*'. Works to the building to facilitate the new use are specifically authorised. The extent of work allowed is clarified by limitation (i) of paragraph Q1. It clarifies that development under Class Q (b) can consist of building operations comprising the installation or replacement of windows, doors, roofs, or exterior walls to the extent reasonably necessary for the building to function as a dwellinghouse and for partial demolition reasonably necessary to carry out the allowed building operations.

3.4 The submitted structural report specifies work that has to be completed to convert the barn to a residential use. The report specifies some limited rebuilding works that are required, but it is clearly explained why that work is necessary and the construction of replacement walls, roofs and partial demolition is allowable under the Class Q process (where reasonably necessary).

3.5 In summary, the submitted structural report demonstrates that the building is capable of conversion under Class Q or the General Permitted Development

Order, and the works proposed to facilitate that conversion are reasonably necessary to convert the building to a residential use. The Council's first reason for refusing Planning Ref. 3/2024/0380 is therefore addressed.

## **4 Residential Curtilage**

- 4.1 The second reason for refusal with respect to Planning Ref. 3/2024/0380 related to the amount of residential curtilage proposed to serve the new dwelling. The curtilage proposed by the refused application 3/2024/0380 was identical to that previously approved by the Council with respect to Planning Ref. 3/2021/0307. However, the Council took the view that a planning appeal decision (made after the approval of 3/2021/0307) suggested that the extent of curtilage proposed was now unacceptable. It is understood from the planning officer's report that the changed stance was as a result of including the land associated with the parking of vehicles within the assessment of the curtilage size (when previously it wasn't included).
- 4.2 The application has therefore been amended to reflect the concerns of the Council. The size of the garden area to be provided with the new dwelling, does not exceed the footprint of the building. Compliance is achieved with the requirements of paragraph X of Part 3, Schedule 2 of the Order and the Council's second reason for refusing Planning Ref. 3/2024/0380 is therefore addressed.

## **5 Other Matters & Conclusion**

- 5.1 The proposal has very recently been assessed by the Council and was refused consent for two very specific reasons. The amended submission and above explanation address those reasons for refusal and therefore the revised submission should now be permitted.
- 5.2 The development that was permitted under 3/2021/0307 included a requirement for recording of the building and the creation of a formal building record prior to any works commencing. The applicant has already completed this task. A copy of the completed report is provided with the application, and I understand that the applicants Buildings Archaeologist has uploaded the information to the digital archive. We therefore consider that there is no longer any need to repeat this condition on any newly granted consent.
- 5.3 With respect to application 3/2024/0380, and before it application 3/2021/0307, the Highway Authority has confirmed that they have no objections to the development.

- 5.4 In summary, it is respectfully requested that the Council approve this development proposal, to enable the Applicant to complete the development within the next three years. Should it transpire that there are outstanding concerns, or matters that require addressing, the Applicant would appreciate being given the opportunity to work with the Council to resolve them.

RIBBLE VALLEY BOROUGH COUNCIL  
Development Department  
Council Offices, Church Walk, Clitheroe, Lancashire, BB7  
2RA

Telephone: 01200 425111 [www.ribblevalley.gov.uk](http://www.ribblevalley.gov.uk) [planning@ribblevalley.gov.uk](mailto:planning@ribblevalley.gov.uk)  
Town and Country Planning Act 1990

**Class R (agricultural buildings to a flexible commercial use) of Part 3  
of Schedule 2 of the Town and Country Planning (England) (General  
Permitted Development) Order 2015**



**APPLICATION NO:** 3/2021/0307  
**DECISION DATE:** 02 June 2021  
**DATE RECEIVED:** 22 March 2021

**APPLICANT:**  
Millbrook Homes  
All Hallows House  
Church Lane  
Great Mitton  
BB7 9PH

**AGENT:**  
John Wharton  
Craven House  
Brook View  
Carleton  
Skipton  
BD23 3GX

**PARTICULARS OF DEVELOPMENT:** Conversion of stone barn to one two-storey dwelling;  
re-siting of existing gateway, closing existing western  
gateway; installation of new sewage treatment plant;  
removal of adjacent steel framed shed. Class Q (a) and  
(b).

**AT:** Laneside Barn, Grindleton Road, Grindleton, Clitheroe, BB7 4QH

**Ribble Valley Borough Council** hereby give notice the prior approval of the authority is GIVEN for the development permitted by the above Order and as described above subject to the following conditions:

1. The development hereby permitted shall be completed before the expiration of three years of the date of this prior approval.

Reason: To conform with Class Q of Part 3 of Schedule 2 of the Town and Country Planning (England) (General Permitted Development) Order 2015.

2. The permission shall relate to the development as shown on drawing 2841.3A (amended plan received 26 May 2021).

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the submitted plans.

3. Precise specifications or samples of all external surfaces of the development hereby permitted shall have been submitted to and approved by the Local Planning Authority before their use in the proposed development.

Reason: To ensure that the materials to be used are appropriate to the locality and in the interests of the character and appearance of the building.

4. The curtilage of the dwelling hereby granted consists solely of the area outlined in red on the approved drawings. The curtilage must not extend beyond this area.

Reason: To ensure the proposal accords with the provisions of the Town and Country Planning (England) (General Permitted Development) Order 2015 and to enable the Local Planning Authority to control the development in detail.

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5. Before their use in the development details of boundary treatments to the curtilage shall have been submitted to, and agreed in writing by the Local Planning Authority and the dwelling shall not be occupied until the boundary treatments associated with the development have been erected. Once erected they should be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

6. All doors and windows shall be framed in timber and retained as such in perpetuity.

Reason: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality.

7. Notwithstanding the specification indicated on the submitted drawings, all new and replacement rainwater goods shall be in cast iron or cast aluminium.

Reason: In order to preserve the character and appearance of the building and to protect the appearance of the area.

8. Prior to the extraction flue being first brought into use all external parts of the flue and cowl and associated fitments shall be coloured black/ a dark matt finish and retained as such at all times in the future unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory appearance and in the interests of the character and appearance of the building.

9. The proposed Velux roof lights shall be of Conservation Type, recessed with a flush fitting, and shall be retained as such at all times.

Reason: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality.

10. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on JW drawing number 2841-3A have been implemented in full.

Reason: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with the National Planning Policy Framework (2019).

11. The vehicular access hereby permitted shall not be used for a period of more than one month from being first brought into use unless the existing vehicular access on Grindleton Road that becomes redundant as a result of this proposal has been closed permanently and reinstated in accordance with details first submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of highway and pedestrian safety in accordance with the National Planning Policy Framework (2019).

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12. Before the access is used for vehicular purposes, any gateposts erected at the access shall be positioned 5m behind the back edge of the footway/verge. The gates shall not open towards the highway.
- Reason: To permit vehicles to pull clear of the carriageway when entering and exiting the site and to ensure the swing of the gates do not affect the availability for a car to wait off road.
13. Before the access is used for vehicular purposes, that part of the access extending from the highway boundary for a minimum distance of 5m into the site shall be appropriately paved in tarmacadam, concrete, block pavements, or other approved materials.
- Reason: To prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users.
14. Nothing shall be erected, retained, planted and / or allowed to grow at or above a height of 1 metres above the nearside carriageway level which would obstruct the visibility splay. The visibility splays shall be maintained free of obstruction at all times thereafter for the lifetime of the development.
- Reason: To ensure adequate inter-visibility between highway users at the street junction or site access, in the interests of highway safety.
15. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with JW drawing number 2841-3A. Thereafter the onsite parking provision shall be so maintained in perpetuity.
- Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety and in accordance with the National Planning Policy Framework (2019).
16. The actions, methods & timing details included in the Method Statement and Reasonable Avoidance Measures section of the Bat Survey Report and Method Statement dated 12.04.2021 that was submitted with the application shall be adhered to and in the event that any bats are found or disturbed during any part of the development, work shall cease until further advice has been sought from a licensed ecologist.
- A minimum of two bat roosting features shall be incorporated into the proposed development during the conversion works before the dwelling is first brought into use, details of which, including their type and location, shall be submitted to the Local Planning Authority and approved in writing prior to commencement of development.
- Reason: In the interests of biodiversity and to enhance nesting/roosting opportunities for species of conservation concern and protected species.
17. This permission shall relate to the proposed conversion in accordance with the structural survey submitted as part of the application (updated 26-03-2021) and re-building works identified on plan ref. 2841-3B received 01-06-2021. Any deviation from the survey may need to be the subject of a further planning application.
- Reason: To define the permission and to prevent inappropriate rebuilding that goes beyond the provisions of Class Q.



18. No development, preparation, stripping or demolition works which impact the extant barn shall take place until the applicant or their agent or successors in title has secured the implementation of a programme of building recording, analysis and reporting. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority. The programme of works should comprise the creation of a record of the building to level 2-3 as set out in "Understanding Historic Buildings" (Historic England 2016). It should include a full description of the building, inside and out, drawn plans, elevations and at least one section (which drawings may be derived from checked architect's drawings), and a full photographic coverage, inside and out. The work must be undertaken by an appropriately qualified and experienced professional contractor to the standards and guidance of the Chartered Institute for Archaeologists. A copy of this record shall be submitted to the Local Planning Authority and the Lancashire Historic Environment Record before the dwelling hereby approved is first occupied.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site.

#### **Note(s)**

1. Site contractors and site project managers shall be made aware of the legal protection afforded all species of bats in the UK.

In the event that any bats are found or disturbed during any part of the development/roofing work, all work shall cease until further advice has been sought from a licensed ecologist.

Reason: To ensure that in the event that any bats are present there will be no adverse effects on the favourable conservation status of a bat population.

2. The grant of planning permission will require the developer to obtain the appropriate permits to work on, or immediately adjacent to, the adopted highway network. The applicant should be advised to contact Lancashire County Council's Highways Regulation Team, who would need a minimum of 12 weeks' notice to arrange the necessary permits. They can be contacted on [lhsstreetworks@lancashire.gov.uk](mailto:lhsstreetworks@lancashire.gov.uk) or on 01772 533433.

*John Machole*

**pp NICOLA HOPKINS**  
**DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING**

#### **NOTES**

#### **Right of Appeal**

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

· If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

P.T.O.

- If this is a decision to refuse planning permission, or approve with conditions, a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse planning permission, or approve with conditions, a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000. The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.

### **Purchase Notices**

If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, they may serve on the Council of the county borough or county district in which the land is situated a purchase notice requiring that Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

# RIBBLE VALLEY BOROUGH COUNCIL

Development Department

Council Offices, Church Walk, Clitheroe, Lancashire, BB7 2RA

Telephone: 01200 425111

Town and Country Planning Act 1990



Ribble Valley  
Borough Council  
[www.ribblevalley.gov.uk](http://www.ribblevalley.gov.uk)

## Class Q (Agricultural Buildings to Class C3 Dwellinghouses) of Part 3 of Schedule 2 of the Town and Country Planning (England) (General Permitted Development) Order 2015

**APPLICATION NO:** 3/2024/0380

**DECISION DATE:** 30 July 2024

**DATE RECEIVED:** 06/06/2024

**APPLICANT:**

**AGENT:**

Mr Keith Lee  
1 Brennand Terrace  
Main Street  
Grindleton  
Clitheroe  
BB7 4QZ

**PARTICULARS OF DEVELOPMENT:** Prior approval for the conversion of agricultural stone barn to one two-storey dwelling under Class Q (a) and (b). (Resubmission of 3/2021/0307)

**AT:** Laneside Barn Grindleton Road Grindleton BB7 4QH

**Ribble Valley Borough Council** hereby give notice the prior approval of the authority is **REFUSED** for the carrying out of the above proposal for the following reason(s):

1. The application's supporting information is considered to be insufficient in as much that it fails to provide definitive confirmation that significant reconstruction works would not be required to the application building in order to support the residential use proposed. The proposal therefore fails to satisfy Class Q.1 (i) and (ii) of Schedule 2 Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015.
2. The cumulative land area occupied by the dwelling's garden area and adjacent parking and turning area i.e. curtilage would exceed the footprint area of the barn building subject to the proposed residential conversion. The proposal therefore fails to satisfy Class Q (a) and paragraph (x) of Schedule 2 Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

*Nicola Hopkins*

**NICOLA HOPKINS**  
**DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING**

P.T.O.

**APPLICATION NO:** 3/2024/0380

**DECISION DATE:** 30 July 2024

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**Note(s)**

- 1 For rights of appeal in respect of any condition(s)/or reason(s) attached to the consent see the attached notes.
- 2 The applicant is advised that should there be any deviation from the approved plan the Local Planning Authority must be informed. It is therefore vital that any future Building Regulation application must comply with the approved planning application.
- 3 Please refer to the Officer's Delegated Report for further details of the Council's assessment of this application.

**Right of Appeal**

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- If this is a decision to refuse planning permission, or approve with conditions, a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse planning permission, or approve with conditions, a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/appeal-planning-decision>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000. The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.

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If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, they may serve on the Council of the county borough or county district in which the land is situated a purchase notice requiring that Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.