



Appeal Decision

Site visit made on 30 June 2025

by E Heron MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 July 2025

Appeal Ref: APP/T2350/W/25/3361823

Pewter House Farm, Commons Lane, Balderstone, Lancashire BB2 7LN

- 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 Miss Laura Howe against the decision of Ribble Valley Borough Council.
- The application Ref is 3/2024/1043.
- The development is described as Prior Approval under Class Q (a) and (b) for the proposed change of use of three adjoining steel portal frame agricultural structures to five dwellings

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development was changed by the Council and the appellant has stated that they have no objection to the amended description. On this basis and for clarity, I have used it in my heading.

Background and Main Issues

3. The appeal relates to three adjoining steel portal frame agricultural buildings at Pewter House Farm. Class Q of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (the GPDO), permits development consisting of a change of use of a building and any land within its curtilage from a use as an agricultural building to a use falling within Class C3 (dwellinghouses). It also allows for the change of use together with building operations reasonably necessary to convert the building for that purpose or to extend that building.
4. The Council considers that the proposal would fail to comply with Class Q1. This states that development under Class Q is not permitted if it would consist of building operations other than:
 - (i) the installation or replacement of –
 - (aa) windows, doors, roofs or exterior walls, or
 - (bb) water, drainage, electricity, gas or other services, to the extent reasonably necessary for the building to function as a dwellinghouse, and
 - (ii) partial demolition to the extent reasonably necessary to carry out building operations allowed by paragraph Q.1.(j)(i).
5. Consequently, the main issue is whether the proposal would constitute permitted development under Article 3, Schedule 2, Part 3, Class Q of the GPDO.

Specifically, with regard to whether the building operations would go beyond what is reasonably necessary for the building to function as a dwellinghouse.

Reasons

6. The three subject buildings are adjoining steel portal framed structures on concrete slabs. All three are predominantly open to the front elevation with wide and tall openings and are roofed with corrugated sheets and rooflights. Lower walls are a combination of blockwork and horizontally laid railway sleepers. Upper walls are predominantly corrugated sheets and some Yorkshire boarding. The northeastern building is open below the upper walls throughout, including part of the side that adjoins the central building. In general, the cladding and walling is intact, other than in isolated areas.
7. Advice on the interpretation of Class Q is contained within paragraph 105 of the Planning Practice Guidance (PPG). It advises that it is only where the existing building is already suitable for conversion to residential use that the building would be considered to have the permitted development right. The guidance also draws attention to relevant caselaw¹ on the difference between conversion and a rebuild. The latter would not be permissible under Class Q, but the judgment in each case is one of fact and degree.
8. The appellant has provided a report from a civil engineer. Whilst this concludes that the existing buildings are in good structural condition, it also indicates that the proposed new internal walls would be structurally independent of the existing steel frame.
9. The report also stops short of stating that the walling, cladding and roofing materials would be retained. Instead, it refers to an expectation of retention and notes that there is 'no reason why,' the majority of external elements could not be retained. In addition, the elevation drawings are annotated in a manner to allow for cladding repairs and new cladding but falls short of specific detail. This provides no certainty of retention of cladding or roofing material, regardless of their structural integrity. This is particularly pertinent as it was clear from my own observations on site that the cladding and walling shows signs of wear, with some isolated areas broken, and it is of a dated appearance.
10. Significant new building work would also be required to close up the large frontage openings, and the extensive open elements of the northeastern building. This is regardless of the fact that these new build elements are designed to be set back from the front and rear elevations.
11. As such, I consider that the proposal would amount to a fresh build, as there would be no certainty of reliance on the existing building other than the concrete slab, and extensive work would be required to enable the buildings to function as dwellings.
12. For these reasons, I conclude that the proposal would not fall within the scope of that permissible under Class Q of the GPDO. Accordingly, the proposal would not be permitted development.

¹ Hibbitt and Another v SSCLG (1) and Rushcliffe Borough Council (2) [2016] EWHC 2853 (Admin)

Other Matters

13. Considerations in relation to prior approval, including design or external appearance of the building, and transport and highway impacts, are a follow-on condition stage under section Q2. As the proposal would fail to constitute permitted development, there is no need to consider whether prior approval is required.
14. I have been referred to various appeal decisions in support of both parties cases. With regard to the appeal decisions² supplied by the Appellant, the full details of the evidence presented to the Inspector has not been provided. There is a lack of supporting details for an application³ approved by the Council. Consequently, I am unable to establish whether there are any direct parallels between the cases referenced and the scheme before me, that would lead me to alter my conclusion on the main issue. I have considered this appeal proposal on its own merits and concluded that it would be unacceptable for the reasons set out above.

Conclusion

15. For the reasons given above, I conclude the appeal should be dismissed.

E Heron

INSPECTOR

² APP/C2708/W/18/3195602; APP/R3325/W/18/3207255; APP/P1045/W/24/3342866; APP/L3245/W/21/3269754; APP/T2350/W/21/3274371; APP/T2350/W/23/3319125

³ 3/2021/0954