


Report to be read in conjunction with the Decision Notice.

Signed:	Officer:	BT	Date:	8/7/25	Manager:	LH	Date:	9/7/25
----------------	-----------------	----	--------------	--------	-----------------	----	--------------	--------

Application Ref:	3/2025/0377				Ribble Valley Borough Council www.ribblevalley.gov.uk
Date Inspected:	20/6/25	Site Notice:	20/6/25		
Officer:	BT				
DELEGATED ITEM FILE REPORT:				Decision	REFUSAL

Development Description:	Prior approval for the proposed change of use of a former agricultural building to one dwellinghouse under Schedule 2, Part 3 Class Q of the GPDO.
Site Address/Location:	Fields Farm, Mearley, Pendleton, BB7 1PU.

CONSULTATIONS:	Parish/Town Council
N/A	

CONSULTATIONS:	Highways/Water Authority/Other Bodies
LCC Highways:	No objections subject to condition.

LCC PROW:	Consulted 23/5/25 – no response received.
------------------	---

LCC Archaeology:	No objections subject to condition.
-------------------------	-------------------------------------

Environment Agency:	No objections subject to adherence with standing advice.
----------------------------	--

RVBC Countryside:	No objections.
--------------------------	----------------

CONSULTATIONS:	Additional Representations.
None.	

RELEVANT POLICIES AND SITE PLANNING HISTORY:
Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) Order 2015.
Article 10 allows for a transitional provision where applications made up to 20 May 2025 can be considered against the most recent legislation in place prior to the changes made on 20 May 2024. The application form confirms the PD rights in place prior to 21 st May 2024 are to be used.
Relevant Planning History:
No planning history.

ASSESSMENT OF PROPOSED DEVELOPMENT:

Site Description and Surrounding Area:

The application relates to a traditional barn building situated on the North-western outskirts of Pendleton. Vehicular access to the application site is from the North-east from the A59 highway via an access track which partially serves as Public Right Of Way FP0324004. The application building roughly comprises an 'L' shaped footprint with its elevations consisting of natural stone with numerous openings encompassed by stone surrounds and with its catslide roof detailed in slate. Smaller dilapidated stone outbuildings lie directly adjacent to the South-western and South-eastern elevations of the application building with an area of hardstanding adjoining the South-western corner of the building. The application site occupies a remote location within an open countryside setting with the land surrounding the site comprising a vast expanse of agricultural fields and with Pendle Hill and the Forest Of Bowland National Landscape being distantly visible to the South-east of the site.

Proposed Development for which consent is sought:

This application relates to the conversion of an agricultural building to form one residential dwelling under the provisions of Schedule 2, Part 3, Class Q (a) and (b) of the Town and Country Planning (General Permitted Development) Order 2015. In the case of a change of use of agricultural buildings to dwellinghouses, the legislation requires the applicant to notify the Council of an intention to utilise permitted development rights through the process known as 'prior approval'.

Observations/Consideration of Matters Raised/Conclusion:

This application seeks prior approval under Class Q (a) and (b) of Schedule 2 Part 3. For the proposal to be considered permitted development it must comply with the provisions of Paragraphs (4), (5), 9(A) and 9(B) of Article 3 'Permitted Development' of the GPDO. Paragraph (4) states that: Nothing in this Order permits development contrary to any condition imposed by any planning permission granted or deemed to be granted under Part 3 of the Act otherwise than by this Order. In this case there are no restrictive conditions imposed on the existing building and therefore the building can benefit from the permitted development rights allowed under Part 3.

The subsequent parts of Class Q.1 have therefore been assessed as follows:

Development is not permitted by Class Q if—

(a) the site was not used solely for an agricultural use as part of an established agricultural unit—

(i) on 20th March 2013, or

(ii) in the case of a building which was in use before that date but was not in use on that date, when it was last in use, or

(iii) in the case of a site which was brought into use after 20th March 2013, for a period of at least 10 years before the date development under Class Q begins;

The application's supporting information states that the application site was in sole agricultural use as part of an agricultural unit on March 20th 2013. There is no evidence to contradict or disbelieve this and the requirements are therefore satisfied.

(b) in the case of—

(i) a larger dwellinghouse, within an established agricultural unit—

(aa) the cumulative number of separate larger dwellinghouses developed under Class Q exceeds 3; or

(bb) the cumulative floor space of the existing building or buildings changing use to a larger dwellinghouse or dwellinghouses under Class Q exceeds 465 square metres;

(c) in the case of—

(i) a smaller dwellinghouse, within an established agricultural unit—

***(aa) the cumulative number of separate smaller dwellinghouses developed under Class Q exceeds 5; or
(bb) the floor space of any one separate smaller dwellinghouse having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order exceeds 100 square metres;***

The application is for one larger dwellinghouse.

Larger dwellinghouses proposed to be developed under Class Q in order to be defined as such should have a floor space of more than 100 square metres but not exceed a cumulative floor space of 465 square metres. In addition, the cumulative number of separate larger dwellinghouses developed under Class Q cannot exceed 3.

The Order defines 'floor space' at paragraph 2 as 'the total floor space in a building or buildings'. The Local Planning Authority determines the floor space of a building to be the ground, first and any other internal floor space within the proposed dwelling including basement levels.

In this instance, the cumulative floor space of the proposed larger dwellinghouse, having a use within use class C3, would amount to 393 square metres (inclusive of the proposed first floor level). The cumulative number of separate larger dwellinghouses proposed would be 1, within the threshold limit.

Accordingly, the proposal would meet all above criteria and the above requirements are therefore satisfied.

(d) the development under Class Q (together with any previous development under Class Q) within an established agricultural unit would result in either or both of the following—

(i) a larger dwellinghouse or larger dwellinghouses having more than 465 square metres of floor space having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order;

(ii) the cumulative number of separate dwellinghouses having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order exceeding 5;

The cumulative floor space of the proposed larger dwellinghouse would amount to 393 square metres, within the threshold limit. The cumulative number of separate dwellinghouses having a use falling within Class C3 would be 1, within the threshold limit. The planning history for the established agricultural unit has been checked and on the date of writing the LPA had no record of any other Class Q applications on the agricultural unit.

(e) the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained;

(f) less than 1 year before the date development begins—

(i) an agricultural tenancy over the site has been terminated, and

(ii) the termination was for the purpose of carrying out development under Class Q, unless both the landlord and the tenant have agreed in writing that the site is no longer required for agricultural use;

The application's supporting information states that the site is not currently (and has never been) occupied under an agricultural tenancy. There is no evidence to contradict or disbelieve this and the requirements are therefore satisfied.

(g) development under Class A(a) or Class B(a) of Part 6 of this Schedule (agricultural buildings and operations) has been carried out on the established agricultural unit—

(i) since 20th March 2013; or

(ii) where development under Class Q begins after 20th March 2023, during the period which is 10 years before the date development under Class Q begins;

A planning history search has been undertaken for all of the land within the established agricultural unit and it is apparent that no applications under Part 6, Class A or B have been submitted to the LPA or approved by the LPA since the 20th March 2013.

(h) the development would result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point;

The proposed development would not result in the external dimensions extending beyond the external dimensions of the existing building at any given point and would therefore satisfy the above requirements.

(i) the development under Class Q(b) 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(i)(i);

Planning Practice Guidance (Paragraph: 105 Reference ID: 13-105-20180615) advises:

“that building works are allowed under the right permitting agricultural buildings to change to residential use. The right (Class Q) permits building operations which are reasonably necessary to convert the building, which may include those which would affect the external appearance of the building and would otherwise require planning permission. This includes the installation or replacement of windows, doors, roofs, exterior walls, water, drainage, electricity, gas or other services to the extent reasonably necessary for the building to function as a dwelling house; and partial demolition to the extent reasonably necessary to carry out these building operations. It is not the intention of the permitted development right to allow rebuilding work which would go beyond what is reasonably necessary for the conversion of the building to residential use. Therefore 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”.

It is noted that paragraph 105 above was revised on 15 June 2018 resulting in the removal of the earlier assertion that it is not the intention of the permitted development right to include the construction of new structural elements of the building and the guidance no longer asserts that it is only where the existing building is structurally strong enough to take the loading which comes from the external works that the building would be considered to have the permitted development right.

Paragraph 105 still states, however, that it is not the intention of the permitted development right to allow rebuilding work which would go beyond what is reasonably necessary for the conversion of the building to residential use, so 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. This is derived from the basic principle that the PD right is for the conversion of the building to residential use, and not for its substantial reconstruction.

In this instance, the extent of building works proposed are considered to fall within the above parameters and a structural inspection survey has been provided in support of the application which identifies the barn building as being in reasonable condition and capable of accommodating the proposed residential conversion. The above requirements are therefore satisfied.

(j) the site is on article 2(3) land;

(a) an area designated as a conservation area under section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (designation of the conservation areas);

(b) an area of outstanding natural beauty;

- (c) an area specified by the Secretary of State for the purposes of section 41 (3) of the Wildlife and Countryside Act 1981 (enhancement and protection of the natural beauty and amenity of the countryside);***
- (d) the Broads;***
- (e) a National Park; or***
- (f) a World Heritage Site***

The application building is located within an area of open countryside and is not included within any of the above designations.

- (k) the site is, or forms part of—***
 - (i) a site of special scientific interest;***
 - (ii) a safety hazard area;***
 - (iii) a military explosives storage area;***

The application site and building do not form part of any of the above.

- (l) the site is, or contains, a scheduled monument; or***

The application site does not contain a scheduled monument.

- (m) the building is a listed building.***

The application building and its curtilage do not contain a Listed Building.

To satisfy the requirements of Class Q (a) and (b) the Local Planning Authority's must consider whether approval is required in respect of the following conditions listed in Schedule 2 Part 3 Q2.

- (a) transport and highways impacts of the development***

The proposed development has been subject to review from Lancashire County Council Highways who in their initial response recommended for refusal of the proposed development on the basis of the development originally seeking to introduce a new residential access to the site from the A59 highway which was not supported for reasons of highway safety. In light of these concerns the LHA advised for the use of Public Rights Of Way BW0324001 and FP0324004 from Clitheroe Road as an alternative means of access to the application site. An amended Location Plan has since been provided in support of the proposal which now seeks to utilise Public Rights Of Way BW0324001 and FP0324004 as a means of access to the proposed development. This arrangement has been subject to review from LCC Highways who have raised no issues with the alternative means of access proposed, subject to the applicant securing a right of access over the Rights Of Way which has subsequently been agreed with the relevant parties as confirmed by the applicant.

In this instance, approximately two thirds of the section of Public Right Of Way FP0324004 to the South-east of the application site comprises an unsurfaced grass footpath therefore additional works in the form of excavation and new surface treatments would be required to the Right Of Way in order for it to be utilised as the site's vehicular access as referenced in the latest response from the LHA. Notwithstanding this, the North-western end of the unsurfaced section of the Right Of Way lies approximately 150 metres away from the application site outside of the barn building's curtilage. Class Q of the GPDO is quite specific in the permitted development rights that it provides in as much that the legislation allows for the 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). In addition, it allows for building operations reasonably necessary to convert the building subject to conversion however the legislation does not allow for additional works beyond the scope of the application building or land within its curtilage in order to facilitate development (this is confirmed within recent appeal decisions Ref: APP/D0121/W/19/3240553 and APP/L3245/X/20/3256290).

In light of the above, the works of improvement required to the Right Of Way to facilitate access to the proposed development could not be satisfactorily or reasonably secured through the prior approval process in this instance. As such, prior approval is therefore required and refused in respect of this matter.

(b) noise impacts of the development

In relation to this particular consideration, the application site lies approximately 400 metres away from the nearest residential receptor of Laneside. As such, it is not considered that the use of the application building would result in significant detrimental impact on neighbouring dwellings over and above that caused by an agricultural use. Therefore prior approval is not required in respect of this matter.

(c) contamination risks on the site

Having regard to contamination risks, the application's supporting information states that the proposed development would not be impacted by any contamination risks however it remains unclear as to whether contaminants are present within or around the proposal site therefore further investigation of the site would be required. Prior approval is required and approved on this matter subject to a condition securing appropriate site investigation and remediation (if required).

(d) flooding risks on the site

Changes to national flood risk mapping were launched on 25th March 2025, and the new maps – referred to as 'NaFRA2 - National Flood Risk Assessment 2' - represent an updated flood risk assessment model. As well as the maps showing flood zones 2 and 3 they also show rivers and sea flood risk (with and without defences) and surface water flood risk, for the present day and with climate change. The NPPG confirms these new maps are a material consideration in planning decisions in determining whether a flood risk assessment and flood risk sequential test is required. This mapping identifies that the proposal site being at risk of flooding from surface water (in this instance sections of Public Right Of Way FP0324004 to the South-east of the application site which has subsequently been proposed for use as the site's vehicular access). A Flood Risk Assessment has been provided in support of the application which identifies the risk of surface water flooding to the site as falling within the 'very low' threshold. Consultation has also been undertaken with the Environment Agency who have deemed the submitted FRA to be sufficient for the nature and scale of development proposed. Prior approval is therefore required and approved on this matter subject to a condition securing an appropriate drainage strategy.

(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 the Schedule to the Use Classes Order.

In this instance, the application site occupies a remote location within the open countryside with the application building being sited in an expanse of agricultural land over half a kilometre away from the A59 Highway and at considerable distance from residential properties. The application site is currently served by an agricultural access from the A59 highway leading to a single vehicle width track which subsequently provides access to the application building. As conveyed in the response from LCC Highways, the proposed development would intensify the use of the existing site access by resident's vehicles and those servicing the property, eg Royal Mail, utilities, refuse vehicles, on-line deliveries, emergency vehicles, etc however the existing site access does not provide sufficient width for two vehicles to pass side by side. In addition, the alternative means of access to the site via Public Rights Of Way BW0324001 and FP0324004 would require works to the latter of these Rights Of Way to facilitate vehicular access which in turn would fall outside the scope of works permitted under the prior approval process. Furthermore, even if such works were not undertaken, photographs of Public Right Of Way FP0324004 to the South-east of the application site provided by the applicant suggest that manoeuvrability for larger vehicles accessing the site (i.e. fire trucks / ambulances) would be problematic. Moreover, given the remote location of the site, it remains unclear as to whether significant additional infrastructure would be required to facilitate connections to utilities (water / electricity).

In light of all of the above, the application building's remote siting is considered to be impractical for facilitating the residential use proposed. As such, prior approval is therefore required and refused in respect of this matter.

(f) the design and external appearance of the building, and

(g) the provision of adequate natural light in all habitable rooms of the dwellinghouses,

and the provisions of paragraph W (prior approval) of this Part apply in relation to that application.

Design and external appearance

On farm buildings, windows and doors are commonly small and insignificant. Farm buildings are operational structures with a functional simplicity which is an essential part of their character. Therefore in order to protect the historic character of traditional barn buildings any additional openings should be kept to a minimum to avoid a clearly domestic appearance.

In addition, Historic England guidance states:

'New features added to a building are less likely to have an impact on the significance if they follow the character of the building. Thus in a barn conversion new doors and windows are more likely to be acceptable if they are agricultural rather than domestic in character.'

In this instance, the proposed scheme of residential conversion would make some use of the barn's existing openings however the proposal would also introduce several new elements to the traditional barn building in the form of large glazed openings to the building's North-western and South-eastern gable ends and a horizontal half boarded opening to the building's North-eastern elevation, all of which would be noticeably at odds with the proportionality of the building's existing sequence of openings. Furthermore, new rooflight openings would be introduced to the barn, one of which would serve a non-habitable room and two of which would be sited close together in a cramped spatial arrangement directly below the roof ridge of the building. As such, the resultant dwelling, by virtue of its fenestration, would appear overtly domestic in appearance which in turn would be at odds with the agricultural character of the historic barn building, application site and rural vernacular of dwellings within the immediate and surrounding area.

Accordingly, the proposal is not considered to amount to a visually sympathetic form of development with respect to its design and external appearance. Prior approval is therefore required and refused on this matter.

Provision of natural light

The proposed plans submitted show that all habitable rooms within the proposed dwelling would be served by numerous window and roof light openings therefore occupants of the proposed dwelling would receive adequate levels of natural light. Therefore prior approval is required and is acceptable on this matter.

Other matters:

Curtilage

As set out in paragraph X of Part 3, "curtilage" means, for the purposes of Class Q, R or S only—

(a) the piece of land, whether enclosed or unenclosed, immediately beside or around the agricultural building, closely associated with and serving the purposes of the agricultural building, or

(b) an area of land immediately beside or around the agricultural building no larger than the land area occupied by the agricultural building, whichever is the lesser;"

The proposed site plan submitted with the application indicates that the proposed dwelling would comprise a domestic curtilage area. The cumulative area of land occupied by the proposed domestic curtilage area would amount to 281 square metres which would not exceed the ground floor area covered by the building to be converted to residential use. The proposed development is therefore considered to be acceptable in relation to this particular consideration.

Ecology

The application's ecological survey identifies the application building as holding a low level of bat roost potential with no bats, birds or barn owls observed within or emerging from the application building during emergence survey work. As such, no adverse impacts to protected species are anticipated from the proposed development, subject to adherence with precautionary working practices. The proposed development is therefore considered to be acceptable in relation to this particular consideration.

Conclusion:

The works of improvement required to Public Right Of Way FP0324004 to facilitate access to the proposed development would fall outside the remit of Class Q and as such could not be satisfactorily or reasonably secured through the prior approval process in this instance. Furthermore, the application building's remote siting is considered to be impractical for facilitating the residential use proposed and the proposal is not considered to amount to a visually sympathetic form of development with respect to its design and external appearance.

Taking account of all of the above, it is considered that the proposal does not satisfy the requirements of Class Q (a) and (b) of Schedule 2 Part 3 of the Town and Country Planning (General Permitted Development) Order 2015. As such, it is recommended that prior approval is refused.

RECOMMENDATION:

Refuse Prior Approval.