

## PRIOR APPROVAL APPLICATION: CHANGE OF USE UNDER CLASS Q

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| <b>APPLICATION REFERENCE:</b>   | PL/2026/02801                                                                   |
| <b>APPLICATION TYPE:</b>        | Prior Approval: Change of Use Class Q                                           |
| <b>SITE ADDRESS:</b>            | Christian Malford Farmhouse , Main Road, Christian Malford, Wiltshire, SN15 4DF |
| <b>DEVELOPMENT DESCRIPTION:</b> | Change of use of an agricultural building to a dwelling (Class Q)               |
| <b>RECOMMENDATION:</b>          | Prior Approval Required and should be REFUSED                                   |

### PROPOSAL

Under the provisions of condition Q.2 attached to Schedule 2, Part 3, Class Q of the General Permitted Development Order (GPDO), the developer has applied to the Local Planning Authority (LPA) on 14.05.2026 with a request to determine whether a change of use (COU) from agricultural to 1no residential units will require the LPAs prior approval (PA).

All detail provided with the application submission indicates that the application site relates to part of an existing building and the request is being made for that part of the building to change use for the provision of 1no dwelling.

### THE SITE

The application site is part of a single-storey building associated with Grade II listed Great Ridgeway Farmhouse. The list entry for Grade II listed Great Ridgeway Farmhouse does not explicitly reference the notification building or the farmhouse setting, and historic mapping does not appear to indicate that the notification building pre-dates 01.07.1948.



Figure 1: Map view of site (blue)

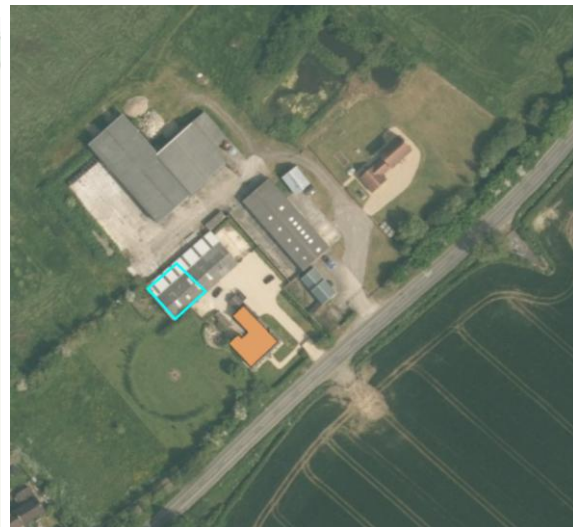


Figure 2: Aerial view with listed building shown (orange)

The site is in open countryside, more than 2.5km northeast of the framework boundary for the large village Christian Malford; the site is, however, within the Neighbourhood Development Plan

(NDP) boundary for the village. The site is part of an established agricultural unit, and no evidence has been provided to indicate that the building had been used primarily for non-agricultural purposes prior to this notification being made.

The site is not on article 2(3) land, and is not on – nor does it form part of – a SSSI, safety hazard area, or military explosives storage area. The site is not – and does not contain – a scheduled monument, and benefits from existing vehicular access from classified B4069 ‘Main Road’.

There are no Public Rights of Way running through the agricultural unit; however, whilst some of the agricultural buildings at the unit are highly visible from the B4069, the part of the building which forms this application site is mostly obscured from publicly accessible view by the farmhouse and adjacent natural planting. Some other structures and areas serving the farm are similarly obscured from publicly accessible view, including an area indicated on OS mapping as a slurry pit which is a little over 50m north-east of the notification building.

## **RELEVANT PLANNING HISTORY (inter alia)**

### Relevant to the red-line:

- N/95/01994/FUL granted permission for a ‘*milking parlour*’ on 23.11.1995
- 19/08278/FUL requested planning permission for ‘*Conversion of barn to dwelling adjacent to listed farmhouse*’ but the application was withdrawn on 24.02.2020 prior to refusal

### Recent, relevant planning history associated with the blue-line:

- PL/2026/02907 notification of the intention for ‘*Conversion of Agricultural Building into A Flexible Commercial Use*’ was acknowledged on 03.06.2026

### Recent, relevant planning history near the site:

- N/07/01704/FUL ‘*Erection of Agricultural Building to house 120 Cows*’ was approved on 13.08.2007

## **POLICY CONTEXT**

### General Permitted Development Order (GPDO)

- Schedule 2, Part 3, Class Q: Buildings on agricultural units and former agricultural buildings to dwellinghouses
- Article 2: Interpretation

### The Town and Country Planning (Use Classes) Order 1987

- Schedule 1

### National Planning Policy Framework (NPPF)

### Planning Policy Guidance (PPG)

### Technical housing standards

Site layout planning for daylight and sunlight: a guide to good practice (BRE, 2022)

## RELEVANT INTERPRETATIONS AND CASE LAW

### Town and Country Planning Act 1990 (TCPA)

#### Agriculture Act 1947

- Section 109: Interpretation which provides the following interpretation relevant to this application:

*In this Act the expression “agricultural unit” means land which is occupied as a unit for agricultural purposes, including—*

*(a) any dwelling-house or other building occupied by the same person for the purpose of farming the land, and*

*(b) any other land falling within the definition in this Act of the expression “agricultural land” which is in the occupation of the same person, being land as to which the Minister is satisfied that having regard to the character and situation thereof and other relevant circumstances it ought in the interests of full and efficient production to be farmed in conjunction with the agricultural unit, and directs accordingly [...]*

## ISSUES

Permitted Development (PD)

Prior Approval (PA)

## CONSULTATION AND REPRESENTATIONS

Christian Malford Parish Council: No Comment

Highways Authority: Comment

*The proposal to change of use from agricultural building to dwelling will introduce a dwelling in an unsustainable location. If a new build were proposed, then there would likely be an objection reason based on unsustainable development as the site is remote from the development boundary of Christian Malford.*

*However, as this is a Class Q change of use there are different planning considerations and unsustainable location as contrary to Core Policy 61 may not be a valid refusal reason.*

*Should the proposal be deemed policy compliant then the shared access to Christian Malford Farmhouse will need to be widened and upgraded given the increased vehicle movements introduced to the access. [...]*

At the time of writing, no public representations have been received.

## ASSESSMENT

### Permitted Development

Under the provisions of Schedule 2, Part 3, Class Q of the GPDO, *development consisting of the following is permitted development:*

*(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,*

*to a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order,*

*(b) development referred to in sub-paragraph (a) together with the extension of the building referred to in sub-paragraph (a), or*

*(c) development referred to in sub-paragraph (a) together with building operations reasonably necessary to convert the building referred to in sub-paragraph (a) to a use falling within Class C3 (dwellinghouses) of that Schedule or to extend that building.*

There are limitations to Part 3, Class Q permitted development which are outlined as 'development not permitted' under section Q1 and there are set conditions associated with that permitted development which are listed under section Q2 of the same part.

For purposes of transparency, in addition to that already alluded to in earlier sections of this report, GPDO parts which have been assessed are summarised below.

| Limitations |                                                                                                                                                                                                                                                                                                                                                           |
|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Q1(a)       | In the case of a site that is part of an established agricultural unit, the site must have been part of the established agricultural unit—<br>(i) on 24th July 2023, or<br>(ii) where the site became part of the established agricultural unit after 24th July 2023, for a period of at least 10 years before the date development under Class Q begins. |
| Q1(c)       | The floor space of any dwellinghouse developed under Class Q having a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order cannot exceed 150 square metres.                                                                                                                                                                |
| Q1(g)       | Development under Class A(a) or B(a) of Schedule 2 Part 6 of the GPDO cannot have been carried out on the agricultural unit within the last 10 years.                                                                                                                                                                                                     |
| Q1(h)       | The development cannot result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point, other than—<br>(i) extension of the building allowed by paragraph Q.1(i);                                                                                                                  |

|       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|-------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|       | (ii) protrusions of up to 0.2 metres to accommodate building operations allowed by paragraph Q.1(j)(i),                                                                                                                                                                                                                                                                                                                                                               |
| Q1(j) | The development under Class Q(c) cannot consist of building operations other than—<br>(i) the installation or replacement of—<br>(aa) windows, doors, roofs, or exterior walls, or<br>(bb) water, drainage, electricity, gas or other services, to the extent reasonably necessary for the building to function as a dwellinghouse, and<br>(ii) partial demolition to the extent reasonably necessary to carry out building operations allowed by paragraph Q.1(j)(i) |
| Q1(o) | The existing building, excluding any proposed extension under Class Q(b) but including any proposed building operations under Class Q(c), must be capable of complying with the nationally described space standard issued by the Department for Communities and Local Government on 27th March 2015 as read with the notes dated 19th May 2016 which apply to it.                                                                                                    |
| Q1(p) | The building must have suitable existing access to a public highway.                                                                                                                                                                                                                                                                                                                                                                                                  |

The scheme is for the change of use of a building and land within its curtilage to a use falling within Class C3. Based on the information provided, the scheme complies with the relevant requirements of Q1(a)-(i).

Measurements taken from the provided plans indicate that the floor area would exceed the minimum GIA for the proposed dwelling and that the existing building would allow for a minimum floor to ceiling height that meets the technical requirement 10(i) of the national described space standards, namely that: *the minimum floor to ceiling height is 2.3m for at least 75% of the Gross Internal Area*. The proposed dwelling would, therefore, comply with the nationally described space standards necessitated by Q1(i).

Furthermore, whilst the existing shared access is not considered suitable for increased vehicle movements in its existing state, consultation with the Councils highways team resulted in a recommendation that a condition could be applied to allow for the scheme to meet the requirements of Q1(p).

The provided 'Class Q & R report' concludes under 3.2 that the *barn is structurally strong enough to take the likely loading which it will be subject to from its change to residential usage without any significant alteration or enhancement* and the provided covering letter reiterates this point; however, the scheme as submitted proposes works which exceed that which would be necessary to facilitate a conversion, instead proposes demolition of parts of the building alongside significant alterations to external walls and roof covering to facilitate a detached dwelling.

It is noted that annotations on the provided proposed plan suggest that '*any new material added are not for structural purposes but for the purposes of making the building habitable*'; however, the covering letter makes it clear that '*partial demolition isn't a necessity as such but will allow the building to better function as a dwelling*'. Whilst it is acknowledged that some degree of building operations are to be expected with Class Q conversions, and it is further acknowledged that

'building' does not have to mean the full extent of the existing structure, the degree of demolition and rebuild proposed does not demonstrate what can reasonably be considered a conversion.

On this occasion, the submission does not demonstrate that the building operations and demolition proposed are reasonably necessary to convert the building. The proposal fails to meet the requirements of Class Q1(j) and is not considered to be permitted development.

#### Prior Approval

Notwithstanding that the LPA is not satisfied that the scheme would be PD, for the avoidance of doubt, the following comment on PA matters is made.

When considering whether to grant Part 3, Class Q PA, Condition Q2(1) outlines that the LPA is limited to assessing the following set subject matters:

- (a) transport and highways impacts of the development,
- (b) noise impacts of the development,
- (c) contamination risks on the site,
- (d) flooding risks on the site,
- (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,
- (f) the design or external appearance of the building, and
- (g) the provision of adequate natural light in all habitable rooms of the dwellinghouses,

Consultation with the Highways Authority indicates that the transport and highways matters could be addressed by condition, and based on the detail provided, the scheme does not indicate any likely issues with regards to flood risk or other PA matters associated with the design of the development. However, whilst there has not been any representation received from consultation with the Councils public protection team, the LPA has significant concerns regarding the desirability of the building changing from agricultural use to a use falling within Class C3. The proposed dwelling is located in close proximity (less than 50m) to ongoing agricultural operations, including a slurry pit and an active agricultural building used to house cattle.

The introduction of an unrestricted residential use in this location would result in future occupiers being exposed to conditions typical of agricultural operations which include associated odour, noise and general disturbance. Whilst it is acknowledged that some exposure to agricultural activities would be characteristic of rural areas, in this case the close spatial relationship between the proposed dwelling and functioning farmyard is such that there would be harmful impacts on residential amenity.

Careful consideration has been made as to whether planning conditions could reasonably be imposed to mitigate the amenity harm to the sensitive residential receptor; however, it is not felt that conditions would overcome the significant concerns for the following reasons:

- The slurry pit and cattle building are not within the application site (red line) or in the applicant's ownership (blue line) and a condition seeking to limit or control the operation would not be possible
- Any odour arising from slurry storage and handling cannot be reliably controlled through planning conditions attached to PA
- Whilst glazing specification etc could provide some limited mitigation against noise and disturbance associated with the lawful operations of the farm, this would not address the fundamental conflict arising from the buildings siting.

## **CONCLUSION:**

Based on the information available, the notified development is not permitted development provisioned under Class Q of Part 3, Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015

Furthermore, even if the scheme were ultimately amended to such a degree that it was found to meet the PD requirements of Class Q, conditions would not adequately mitigate the fundamental issue of the building's siting in an active farmyard environment and, as such, it would not be recommended that PA should be granted.

## **RECOMMENDATION: The application should be REFUSED for the following reason(s):**

1. The proposed level of demolition has not been evidenced as functionally necessary to enable the conversion of the building to residential use. The extent of building operations proposed results in the scheme not being permitted development under Schedule 2, Part 3, Class Q.
2. The application site forms part of an active agricultural unit, with the proposed dwelling located approximately 50m from a slurry pit and in close proximity to an operational farmyard containing buildings which would remain in agricultural use. By reason of the potential for odour, noise and general disturbance, the Local Planning Authority is not satisfied that the siting and location of the building would be suitable for a change to residential use. The agricultural conditions would be harmful to the living conditions of future occupiers and, as such, the introduction of a sensitive residential receptor in this location would be undesirable.

## **INFORMATIVES TO APPLICANT:**

- For the avoidance of doubt, detail and plans provided by the developer which were accepted and reviewed as part of this application include:  
Application Form  
Covering Letter  
Location Plan, ZM-JH-01  
Site Plan, ZM-JH-02  
Plans as Existing, ZM-JH-03

Plans as Proposed, ZM-JH-04  
Report  
Report Photos