



## PETER GEORGE TOWN PLANNING

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Development and Conservation  
North Hertfordshire District Council  
Council Offices  
Gernon Road  
Letchworth Garden City  
SG6 3JF

**Dear Sirs**

**Barns at Slip End Farm, Royston Road, Slip End, SG7 6SG**

**Prior Approval Notification - Class Q: change of use of agricultural buildings to ten (10) dwellinghouses with associated building operations, private gardens and car parking.**

We are instructed by Mr James Northern to submit an application for prior approval for the change of use of existing agricultural barns to form ten (10) dwellinghouses with associated development and related works.

The application submission contains:

- Drawings P01-P16 (inclusive), **RedShed Design Ltd**
- Planning Noise Assessment RK3835/20441/Rev 0 **Spectrum Acoustic Consultants**
- Ecological Impact Assessment, Bat Emergence Report & Update Letter **Morgan & Stuckey**
- Phase I Geo-Environmental Report **Dice Environmental**
- Duly signed and completed application form and site ownership certificates
- Fee of £258



## The Application Site

Slip End Farm is located on the north-west side of the A505 adjacent to the north-eastbound carriageway approximately half-way between Baldock and Royston. The village of Ashwell lies to the north/north-west with Bygrave to the west. The small hamlet of Odsey is located to the east.



Figure 1 - The Application Site

The main farmyard contains a number of existing and actively used agricultural buildings bookended by two residential properties located to the western and eastern edges of the main yard. Vehicular access to the site comes from a newly constructed access from the west with two other vehicular accesses that connect to the A505.

The barns that are subject of this application are located to the north and north-eastern side of the farmyard. All of the barns in question are in use for agriculture and include a large modern grain store, and three smaller barns typically used for livestock and for the storage of agricultural machinery and other agricultural items and equipment.

## The Proposed Development

The proposed development involves the conversion of **four (4)** existing barns to form a total of **ten (10)** residential dwellinghouses. The following is proposed to be accommodated within the four barns:

- Grain Store: Four, two-bedroom and two, three-bedroom dwellings (six in total).
- Barn 1: One, two-bedroom dwelling (one in total).



- Barn 2: Two, three-bedroom dwellings (two in total).
- Barn 3: One, two-bedroom dwelling (one in total).

All of the barns have a steel frame and concrete base and are capable of conversion at a fundamental level, albeit building operations are required (to a greater or lesser extent in each case) in order to convert the barns. Broadly, these works would involve:

- Partial demolition.
- The insertion of a number of doors and windows to serve habitable spaces within the proposed dwelling.
- Existing walls to be upgraded with timber cladding.
- Existing roof to be upgraded with profiled sheeting.
- Provision of parking and private amenity areas/gardens for each dwelling.
- Installation of services.
- Internal alterations, including a mezzanine in the Grain Store.

## **Compliance with the Requirements & Conditions of Class Q**

### **Permitted Development**

Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (hereafter referred to as 'The Order') sets out that, subject to certain requirements and conditions being met, the following would be permitted development:

#### **"Q. Development consisting of-**

##### **(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.**

### **Requirements**

Part Q.1 of The Order sets out the terms under which development is permitted. Each is addressed in turn below.

|        | <b>Criteria of Q.1</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <b>Compliance</b> |
|--------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| Q.1(a) | in the case of a site that is part of an established agricultural unit, the site was not 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,                                                                                                                                                                                                              | Compliant         |
|        | <b>Commentary: The buildings are in use for agricultural purposes, primarily for the storage of machinery and other equipment associated with agriculture and for the keeping of livestock.</b>                                                                                                                                                                                                                                                                                                                                                                 |                   |
| Q.1(b) | Not Applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | N/A               |
|        | <b>Commentary: None</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                   |
| Q.1(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 exceeds 150 square metres,                                                                                                                                                                                                                                                                                                                                                                            | Compliant         |
|        | <b>Commentary: None of the proposed dwellinghouses would have a floor area in excess of 150m<sup>2</sup></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                   |
| Q.1(d) | the development under Class Q, together with any previous development under Class Q, within the original limits of an established agricultural unit (see paragraph Q.3(2) of this Part) would result in—<br>(i) the cumulative number of separate dwellinghouses having a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order exceeding 10, or<br>(ii) the cumulative floor space of dwellinghouses having a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order exceeding 1,000 square metres, | Compliant         |
|        | <b>Commentary:</b><br><b>i) 10 dwellings are proposed in total; none of which have a GIA in excess of 150m<sup>2</sup>.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                     |                   |



|         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |           |
|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
|         | <b>ii) The total floor space of the proposed dwellings would not exceed 1000m<sup>2</sup>.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |           |
| Q.1 (e) | the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Compliant |
|         | <b>Commentary: The buildings are owned by the applicant and no tenancy exists.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |           |
| Q.1 (f) | less than 1 year before the date development begins—<br>(i) an agricultural tenancy over the site has been terminated, and<br>(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,                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Compliant |
|         | <b>Commentary: The buildings are owned by the applicant and no tenancy exists.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |           |
| Q.1 (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 during the period which is 10 years before the date development under Class Q begins,                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Compliant |
|         | <b>Commentary: There is no history of development being granted prior approval on this site under Part 6 of The Order between the relevant dates.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |           |
| Q.1 (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, other than—<br>(i) extension of the building allowed by paragraph Q.1 (i);<br>(ii) protrusions of up to 0.2 metres to accommodate building operations allowed by paragraph Q.1 (j) (i),                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Compliant |
|         | <b>Commentary: No extensions are proposed to any of the buildings</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |           |
| Q.1 (i) | the development under Class Q(b) would result in an extension that—<br>(i) has more than one storey,<br>(ii) is sited anywhere other than to the rear of the existing building,<br>(iii) extends beyond the rear wall of the existing building by more than 4 metres,<br>(iv) has eaves the height of which exceed the height of the eaves of the existing building,<br>(v) is higher than whichever is the lower of—<br>(aa) the highest part of the roof of the existing building, or<br>(bb) a height of 4 metres above the ground,<br>(vi) extends beyond a wall that forms a side or principal elevation of the existing building, or<br>(vii) would be sited on land that, before the development under Class Q(b), is not covered by a hard surface that was provided on the land by virtue of any development, and—<br>(aa) the hard surface was not provided on the land on or before 24th July 2023, or | Compliant |



|        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |           |
|--------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
|        | (bb)where the hard surface was provided on the land after 24th July 2023, the hard surface has not been situated on the land for a period of at least 10 years before the date development under Class Q(b) begins,                                                                                                                                                                                                                                                     |           |
|        | <b>Commentary: No extensions are proposed</b>                                                                                                                                                                                                                                                                                                                                                                                                                           |           |
| Q.1(j) | (j)the development under Class Q(c) would 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,<br>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), | Compliant |
|        | <b>Commentary: Physical alterations proposed are limited to those set out above.</b>                                                                                                                                                                                                                                                                                                                                                                                    |           |
| Q.1(k) | the site is on article 2(3) land,                                                                                                                                                                                                                                                                                                                                                                                                                                       | Compliant |
|        | <b>Commentary: The site is not on article 2(3) land.</b>                                                                                                                                                                                                                                                                                                                                                                                                                |           |
| Q.1(l) | the site is, or forms part of—<br>(i)a site of special scientific interest;<br>(ii)a safety hazard area;<br>(iii)a military explosives storage area,                                                                                                                                                                                                                                                                                                                    | Compliant |
|        | <b>Commentary: The site is not, nor does it form part of any of the above.</b>                                                                                                                                                                                                                                                                                                                                                                                          |           |
| Q.1(m) | the site is, or contains, a scheduled monument,                                                                                                                                                                                                                                                                                                                                                                                                                         | Compliant |
|        | <b>Commentary: The site is not, nor does it contain a scheduled monument (NB. The boundary of the scheduled monument has recently been amended now excluding the site).</b>                                                                                                                                                                                                                                                                                             |           |
| Q.1(n) | the building is a listed building,                                                                                                                                                                                                                                                                                                                                                                                                                                      | Compliant |
|        | <b>Commentary: None of the application buildings are listed buildings.</b>                                                                                                                                                                                                                                                                                                                                                                                              |           |
| Q.1(o) | the existing building, excluding any proposed extension under Class Q(b) but including any proposed building operations under Class Q(c), would not 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, or                                                                                              | Compliant |
|        | <b>Commentary: The buildings are capable of complying with the nationally described space standard.</b>                                                                                                                                                                                                                                                                                                                                                                 |           |
| Q.1(p) | the building does not have suitable existing access to a public highway.                                                                                                                                                                                                                                                                                                                                                                                                | Compliant |
|        | <b>Commentary: The buildings have suitable access to a public highway.</b>                                                                                                                                                                                                                                                                                                                                                                                              |           |

## **Conditions**

Part Q.2 of The Order states as follows:



*“Where the development proposed is development under Class Q(a) together with development under Class Q(b), development is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to –*

- a) Transport and highways impacts of the development.*
- b) Noise impacts of the development.*
- c) Contamination risks on the site.*
- d) Flooding risks of 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 the Schedule to the Use Classes Order.*
- f) The design or external appearance of the building.*
- g) The provision of adequate natural light in all habitable rooms of the dwellinghouses.”*

Each is addressed in turn.

A) Transport and highways

**Commentary:** Parking is provided to serve all the residential units. Existing vehicular access points are to be used, and all are considered to be suitable to serve the development. The proposed site layout is informed by the layout approved in connection with approved applications 22/02888/PNQ and 22/02289/PNQ approved in December 2022.

B) Noise impacts

**Commentary:** A Noise Assessment has been carried out and is included with the application, and this includes mitigation measures which have been incorporated as appropriate. These could be secured by planning condition. It is not considered that there are any sustainable reasons to objection to these proposals on noise grounds.

C) Contamination risks



**Commentary:** A Phase I Geo-Environmental Report is submitted with the application. Further surveys and any associated decontamination of the site could be secured by way of a suitably worded planning condition.

D) Flooding risks

**Commentary:** The barns are situated wholly within Flood Zone 1. There are not known to be any potential flooding or drainage issues at the site.

E) Whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural to residential use

**Commentary:** Regarding this matter, Paragraph 109 of the online Planning Practice Guidance (PPG) states that:

*"Impractical or undesirable are not defined in the regulations, and the local planning authority should apply a reasonable ordinary dictionary meaning in making any judgment. Impractical reflects that the location and siting would "not be sensible or realistic", and undesirable reflects that it would be "harmful or objectionable".*

*When considering whether it is appropriate for the change of use to take place in a particular location, a local planning authority should start from the premise that the permitted development right grants planning permission, subject to the prior approval requirements. That an agricultural building is in a location where the local planning authority would not normally grant planning permission for a new dwelling is not a sufficient reason for refusing prior approval.*

*There may, however, be circumstances where the impact cannot be mitigated. Therefore, when looking at location, local planning authorities may, for example, consider that because an agricultural building on the top of a hill with no road access, power source or other services its conversion is impractical. Additionally 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."*

Moreover, paragraph 108 of the PPG reminds decision makers that:



*"The permitted development right does not apply a test in relation to sustainability of location. This is deliberate as the right recognises that many agricultural buildings will not be in village settlements and may not be able to rely on public transport for their daily needs."*

**Commentary:** In the context of the wording of the PPG, it is considered that the siting and location of the building is appropriate and that it would not be impractical or undesirable for the buildings to change from agricultural to residential. As the PPG clarifies, the sustainability of the site with respect to access to services and facilities etc is not a consideration in the assessment of whether the conversion would be impractical or undesirable.

F) The design or external appearance of the building

**Commentary:** It is considered that the proposed design and external appearance of the buildings would be acceptable. The external alterations would respect the overall integrity and character of the existing building and its historic use for agriculture.

G) The provision of adequate natural light in all habitable rooms of the dwellinghouse

**Commentary:** The application contains floor plans and elevations indicating that all of the proposed habitable rooms would be provided with ample natural light.

## **Other Matters**

### **Fundamentals of the Conversion & the Building Operations**

The PPG sets out that the permitted development right assumes that the agricultural building is capable of functioning as a dwelling. Indeed, in accordance with the 'Hibbitt' judgement, the question is whether a conversion of an agricultural building under Class Q could be considered a 'conversion' if it required substantial new construction.

All four of the barns have a steel-frame, are constructed on a concrete base and have external walls and roofing. Accordingly, the buildings are, at a fundamental level, capable of conversion.



In terms of the building operations themselves, the PPG confirms that the permitted development right “...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.”

Regarding internal alterations it states that:

*“Internal works are not generally development. For the building to function as a dwelling it may be appropriate to undertake internal structural works, including to allow for a floor, the insertion of a mezzanine or upper floors within the overall residential floor space permitted, or internal walls, which are not prohibited by Class Q.”*

The proposed building operations would involve the replacement of existing wall and roof coverings with new cladding and roofing material, with other external alterations including the provision of windows, doors, rooflights, services and other related aspects. Some demolition works are also proposed to facilitate the conversions (primarily to the Grain Store and Barn 1).

The conversion of the Grain Store involves the installation of a mezzanine level which, as per the PPG and along with other internal works, is permitted under a Class Q application.

## **Ecology**

Ecological information is submitted with the application, including an updated ecological walkover of the site and inspection of the buildings in question. This demonstrates that the proposed conversion to residential would not have a harmful impact on protected species.

## **Summary**

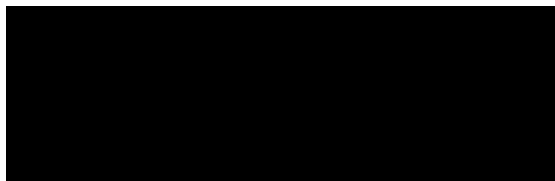
This letter, together with the other supporting information submitted with the application, demonstrates that the proposed development would be compliant with the requirements and conditions of Class Q of The Order.



Consequently, the prior approval of the Local Planning Authority is not considered to be required.

I trust that all is in order, and I look forward to receiving confirmation in due course.

Yours sincerely,



**Tom Donovan BA(Hons) MA MRTPI, Director**

**PETER GEORGE TOWN PLANNING**