



PETER GEORGE TOWN PLANNING

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Development and Conservation
North Hertfordshire District Council
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Dear Sirs

Barns at Radwell Grange, Radwell, Baldock, SG7 5EU

Prior Approval Notification - Class Q: change of use of agricultural buildings to create 7 dwellinghouses with associated building operations, private gardens and car parking.

Introduction

We are instructed by Mr J Northern of Northern of Radwell to submit an application for prior approval for the change of use of 2 existing agricultural barns to form 7 dwellinghouses with associated development and related works.

The application submission contains:

- Drawings PL01-PL07 and PL13-PL17 **BBR Design Ltd**
- Planning Noise Assessment AP2039/24352/Rev 0 **Spectrum Acoustic Consultants**
- Ecological Impact Assessment **Morgan & Stuckey**
- Phase I Geo-Environmental Report **Dice Environmental**
- Duly signed and completed application form and site ownership certificates
- Fee of £601.



The Application Site

The application buildings are situated to the east side of the A1 to the north of the Baldock Services. Access comes from an established access point off the A507 onto an unclassified road (named in the Gazetteer of Roads as A507 to Grange Cottages), which itself connects to a non-maintainable private road which leads to the site of the barns.

The site contains several agricultural barns, two of which are the subject of this application. These include a large modern grain store situated at the south-western end of the farmyard, and a Dutch barn which is situated immediately to the north-east.



Figure 1 - The Application Buildings and Site

The wider site contains the grade II listed Radwell Grange (1102673) which is situated to the east of the application buildings, and a grade II listed Barn at Radwell Grange (ref. 1102674). The listed barn was, together with associated barns, converted to residential following several consents granted in the early 2010's. The application barns are modern (post-1948) and are thus not curtilage listed in association with Radwell Grange.

A building to the south-east of the application barns was converted to industrial use in the late 1990's and is currently in use for car repairs. An open-sided agricultural barn is situated to the south of this barn.



The Proposed Development

The proposed development involves the conversion of 2 existing barns to form a total of 7 residential dwellinghouses. The following is proposed to be accommodated within the two barns:

- Barn A (Grain Store): 2 x 4-bedroom dwellings and 2 x three-bedroom dwellings (4 dwellings in total).
- Barn B (Dutch Barn): 2 x 4-bedroom dwellings and 1 x 3-bedroom dwelling (3 in total).

The physical alterations involved in the conversion can be summarised as follows:

- Replacement of existing roof material with corrugated metal sheeting.
- New and Replacement cladding to walls.
- Insertion of new windows, doors and rooflights.
- Insertion of a mezzanine level.
- Insertion of new internal walls and other non-structural elements.
- Part-demolition as necessary to create the units.

Plot Number	Unit Size	GIA	Storage	Parking
Plot 1 Barn A	3b6p	139.4m ²	3.3m ²	2
Plot 2 Barn A	3b6p	139.4m ²	3.3m ²	2
Plot 3 Barn A	3b6p	139.4m ²	3.3m ²	2
Plot 4 Barn A	3b6p	139.4m ²	3.3m ²	2
Plot 5 Barn B	3b5p	146.30m ²	3.8m ²	2
Plot 6 Barn B	3b5p	148.70m ²	3.8m ²	2
Plot 7 Barn B	3b5p	146.30m ²	3.8m ²	2

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.

	Criteria of Q.1	Compliance
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— (i) on 24th July 2023, or (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
	Commentary: The buildings are in use for agricultural purposes, primarily for the storage of machinery and other equipment associated with agriculture.	
Q.1(b)	Not Applicable	N/A
	Commentary: None	
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
	Commentary: None of the proposed dwellinghouses would have a floor area in excess of 150m².	



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— (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 (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
	Commentary: i) 7 dwellings are proposed in total; none of which have a GIA in excess of 150m². ii) The total floor space of the proposed dwellings would not exceed 1000m² (the combined floor space would be 998.90m².	
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
	Commentary: The buildings are owned by the applicant and no tenancy exists.	
Q.1(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,	Compliant
	Commentary: The buildings are owned by the applicant and no tenancy exists.	
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
	Commentary: There is no history of development being granted prior approval on this site under Part 6 of The Order between the relevant dates.	
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— (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),	Compliant
	Commentary: No extensions are proposed to any of the buildings	
Q.1(i)	the development under Class Q(b) would result in an extension that— (i) has more than one storey, (ii) is sited anywhere other than to the rear of the existing building, (iii) extends beyond the rear wall of the existing building by more than 4 metres,	Compliant



	(iv) has eaves the height of which exceed the height of the eaves of the existing building, (v) is higher than whichever is the lower of— (aa) the highest part of the roof of the existing building, or (bb) a height of 4 metres above the ground, (vi) extends beyond a wall that forms a side or principal elevation of the existing building, or (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— (aa) the hard surface was not provided on the land on or before 24th July 2023, or (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,	
	Commentary: No extensions are proposed	
Q.1(j)	(j) the development under Class Q(c) 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),	Compliant
	Commentary: Physical alterations proposed are limited to those set out above (see further comments regarding this below).	
Q.1(k)	the site is on article 2(3) land,	Compliant
	Commentary: The site is not on article 2(3) land.	
Q.1(l)	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,	Compliant
	Commentary: The site is not, nor does it form part of any of the above.	
Q.1(m)	the site is, or contains, a scheduled monument,	Compliant
	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).	
Q.1(n)	the building is a listed building,	Compliant
	Commentary: None of the application buildings are listed buildings.	



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
	Commentary: The buildings are capable of complying with the nationally described space standard.	
Q.1(p)	the building does not have suitable existing access to a public highway.	Compliant
	Commentary: The buildings have suitable access to a public highway.	

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: The site is accessed by the combination of an existing unclassified road (up to Radwell Cottages), and a private road (from Radwell Cottages to the site). Both sections of road have a bound service and generally have sufficient width to enable



cars travelling in opposite directions to pass each other. Accordingly, whilst the proposed change of use would likely increase the number of cars visiting the site, this would be offset by the reduced number of agricultural vehicles which are generally much larger and more disruptive in terms of the local road network.

A minimum of two parking spaces is proposed to be provided for each of the units.

B) Noise impacts

Commentary: A Noise Assessment has been carried out and is included with the application. This concludes that the noise arising from adjacent commercial and agricultural operations would be acceptably low and thus not require mitigation.

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 buildings are appropriate and that it would not be impractical or undesirable for the buildings to change from agricultural to residential. As the PPG clarifies, the location of the site with respect to access to services and facilities etc (i.e. it's sustainability) 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.

Each barn has 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 minor demolition works are also proposed, but these are not significant.

The proposed conversions involve the installation of a mezzanine level, however, as per the PPG, this, along with other internal works, is permitted under a Class Q application.



Ecology

The application is accompanied by an Ecological Impact Assessment. This concludes that the proposed conversion to residential would not have a harmful impact on protected species.

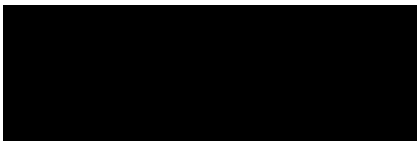
Summary

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 we look forward to receiving confirmation in due course.

Yours sincerely,



Tom Donovan BA(Hons) MA MRTPI, Director

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