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Prior Approval Statement

**Application for Prior Approval under Class Q – Conversion of
Agricultural Buildings to Dwellings**

Prepared for: Mr N Hadingham, The Limes, Gedney Hill, Spalding,
PE12 0NP

March 2026

Prepared by:
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1. INTRODUCTION

- 1.1 We act on behalf of Mr N Hadingham in respect of the prior determination request made to South Holland District Council in relation to the potential change of use of an agricultural building at The Limes, Gedney Hill, Spalding, PE12 0NP into a dwelling.
- 1.2 Planning permission is not deemed necessary for the proposed development on the basis that the proposal conforms with the provisions set out in The Town and Country Planning (General Permitted Development) (England) Order 2024.
- 1.3 Prior approval for the development was applied for and approved on 21 June 2023 for change of use of agricultural building into a residential dwelling, ref: H07-0396-23 under the 2018 rules. This application seeks to renew that permission and confirm compliance with the 2024 rules.

2. DISCLAIMER

- 2.1 This report is for the sole use of the named client. While it may be shown to other professionals acting for them, the contents are not to be disclosed to nor made use of by any third party without our express prior written consent. Without such consent we can accept no responsibility to any third party.

Signed *Brian Barrow*

BRIAN BARROW BSc (Hons) MRICS

on behalf of Acorus Rural Property Services Limited

Dated March 2026

3. PLANNING POLICY BACKGROUND

3.1 Class Q of the General Permitted Development (England) Order 2018 allowed for:-

- a) 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 (dwelling houses) of the Schedule to the Use Classes Order; or
- b) development referred to in paragraph (a) together with building operations reasonably necessary to convert the building referred to in paragraph (a) to a use falling within Class C3 (dwelling houses) of that Schedule.

3.2 The Town and Country Planning (General Permitted Development) (England) amended as of 21st May 2024, has updated the above Class Q permitted development rights as follows.

Class Q allows for development consisting of:-

A change of use of

- Any building that is part of an established agricultural unit and any use land within the buildings curtilage, or
- 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).

- * Extension of the building, subject to stipulations and criteria.
- * Building operations reasonably necessary to convert the building to a use falling within Class C3.

Q1. Development is not permitted by Class Q if—

- (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,
- (b) in the case of a site that was (but is no longer) part of an established agricultural unit—
 - (i) the site was part of an established agricultural unit on 24th July 2023,
 - (ii) where the site ceased to be part of an established agricultural unit after 24th July 2023, the site has not been part of the established agricultural unit for a period of at least 10 years before the date development under Class Q begins, or
 - (iii) since ceasing to be part of an established agricultural unit, the site has been used for any non-agricultural purpose,
- (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,
- (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,
- (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,

- (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,
- (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),
- (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,
 - (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,
- (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),
- (k) the site is on article 2(3) land,
- (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,
- (m) the site is, or contains, a scheduled monument,
- (n) the building is a listed building,
- (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
- (p) the building does not have suitable existing access to a public highway.

3.3 The building works permitted under Class Q are outlined in the Planning Practice Guidance at Paragraph 105 as follows:-

"Building works are allowed under the right permitted agricultural buildings to change to residential use, however the right assumes that the agricultural building is capable of functioning as a dwelling. The 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. 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.

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."

- 3.4 The proposals were put forward to further enhance the Government's key objective of supporting economic growth. The proposals strongly support key Government priorities for making better use of existing buildings, supporting the high street and rural communities and providing new housing.
- 3.5 The permitted development makes a strong contribution towards the provision of new homes, reducing some of the pressure for new green field development and allowing under-utilised buildings to be brought back into productive use.
- 3.6 The permitted development provisions do not differentiate between the age or type of any buildings which might be suitable for conversion.
- 3.7 The Planning Practice Guidance outlines the advice re impractical and undesirable
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.

When a local authority considers location and siting in this context it will not therefore be appropriate to apply tests from the National Planning Policy Framework except to the extent these are relevant to the subject matter of the prior approval.

4. THE SITE AND BUILDING

- 4.1 The proposal relates to the change of use of an agricultural building and the land within its curtilage into a dwelling.
- 4.2 The agricultural unit on which the barn 'sits' was purchased by the applicant, Mr Neil Hadingham in March 2023. It is land which has been occupied for the purposes of agriculture on or before 20 March 2013. The site was part of an established agricultural unit on 23 July 2024 as it has been historically.
- 4.3 The Limes extends to 108 hectares (267 acres) of which 103 hectares (255 acres) is down to arable cropping with 5 hectares (12 acres) down to grass.
- 4.4 The building subject to this application is used as a farm store for agricultural and general farm storage.

The building is of substantial blockwork construction with a single opening in the form of a double timber door, see photograph below.



- 4.4 It is confirmed that the following criteria are also satisfied:

- the building is not on article 2(3) land;
- the land was used for the purposes of agriculture on or before 20th March 2013.
- the site is not occupied under an agricultural tenancy, nor has one been terminated within the last 12 months.
- the site does not form part of a safety hazard area or military explosives storage area;
- the building is not listed buildings or scheduled monuments;
- No development utilising agricultural (part 6) PD rights has been undertaken on the unit in the last 10 years.
- The existing building including any proposed extension would be capable of complying with the nationally described space standard issues by the Department for Communities and Local Government on 27 March 2015.
- The building has suitable existing access to a public highway.

5. PRIOR DETERMINATION – CLASS Q(a)

5.1 In accordance with the Order, we request a determination as to whether the prior approval of the LPA is required for the Class Q(a) development in this instance in regard to:

- **Transport** and highways impacts of the development
- **Noise** impacts of the development
- **Contamination** risks on the site
- **Flood risks** on the site
- 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 (dwelling houses) of the Schedule to the Use Classes Order

5.2 Transport

The site is situated with an access onto an established and adopted highway. Considering an average of 4 trips per day removal of the agricultural use, it is deemed that the highways impact of the proposal would be minimal. The access already serves the main house.

5.3 Noise

There will be no adverse impact on any existing residential amenity in the area, by converting the agricultural building to residential.

5.4 Contamination

There has been no previous use of the barns to the applicant's knowledge, which would lead to any contamination concerns or issues. There has never been any landfill or waste disposal on or around the site and given historically the use of the site has been agricultural rather than industrial, the pollution and contamination risk is deemed to be low.

5.5 Flood Risk

The site is within Flood Zone 1 as is the farmstead and access.

There will be new drainage facilities installed which will provide adequate foul drainage and surface water drainage. Any newly created drainage for surface water will ensure that any discharge will not increase the chance of flooding elsewhere.

5.6 Location and Siting

The location and siting of the building does not make it undesirable or impractical to change the use. The barn is sited in near the main house. There are no longer any stock on the farm.

There is potential curtilage areas associated with the building, which will create amenity space for the dwelling created including parking area.

5.7 Provision of Natural Light

The dwelling will benefit from natural light to all habitable rooms as shown on the plans and elevations.

5.8 It is considered that the prior approval matters are considered acceptable as prior approval has already been granted for the proposal.

6. PRIOR DETERMINATION CLASS Q(b)

6.1 In addition to the above, we also request a determination as to whether the prior approval of the LPA is required in relation to the design or external appearance of the building.

6.2 To assist with the determination the following is provided:-

- * A site location plan which identifies the subject building and the deemed curtilage area.
- * Existing and proposed Plans and Elevations including plans showing the dimensions of rooms and windows

The proposed design will not extend the external dimensions of the building in any direction.

The design will utilise the existing buildings with retention of the roof and walls and externally will look quite similar. The walls are substantially built in block and rendered externally. There are some small areas of cracking which can be repaired, and the render would benefit from redoing in places. Other than that the only main change would be the addition of more window openings.

The existing roof will be insulated internally with repairs where necessary. Existing walls will be retained as per current materials with roof cladding replaced where necessary. No external walls will be constructed.

Other than repairs, some minor modifications, plus new windows and doors, all the other works will be internal, such as insulation and sub dividing the space.

6.2 It is considered that the LPA consider the building is capable of conversion as prior approval has already been granted for an identical proposal and the prior approval matters have not changed.

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7. CONCLUSION

- 7.1 It is deemed that the proposal for the change of use of the building at The Limes should be considered permitted development, under the legislation brought into force in 2014 and now under Class Q of the General Permitted Development Order 2024.
- 7.2 The proposed change of use will not lead to any detrimental adverse effects on traffic, noise or contamination and the siting and location of the buildings is deemed acceptable for the proposed use. Natural light will be provided to all habitable rooms.
- 7.3 The building is convertible and capable of functioning as a dwelling. The works proposed consist of mainly localised, modified window openings and repairs to render and the roof. Existing walls and building structure will remain. Other works including insulation and sub dividing the living space are all internal and therefore not development.
- 7.4 This is a resubmission of application H07-0396-23 which was approved under the 2018 Class Q rules. The development is therefore considered to meet prior approval and structural requirements of the legislation. Being part of an agricultural unit in July 2023 and still one it is considered that the site benefits from Class Q under the 2024 rules and that prior approval should be granted.



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