

DELEGATED REPORT

Report by Jennie Townsend	Date of report: 12/11/2025	Ref: 72396/PMBPA
Registration: 19/09/2025	LDfC: 15/10/2025	Expiry Date: 14/11/2025
Site Visit: 17/10/2025	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: NREQ

Proposal: Prior approval for a proposed change of use from agricultural building to 1no. dwelling

Location: 344 Bradley Fold Road, Radcliffe, Bolton, BL2 6RL

Description

The application has been submitted under The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 3, Class Q(a) and (b) for the change of use of an agricultural building to a one bedroom dwelling (Q(a)) and building operations (Q(b)) reasonably necessary to convert the building to a use falling within Class C3.

The building is rectangular in planform with a dual pitched roof oriented east to west approximately 11.5 m x 5.5 m with a ridge height of 4.5 m and an eaves height of 3.3 m. It has masonry blockwork to approximately 1.6 m and profiled metal sheets to the eaves and roof. It is accessed via a gated track with a dropped kerb from Bradley Fold Road approximately 60 m to the south.

The structure of the building is a timber frame with an internal masonry wall on which the external corrugated sheets are attached with a post frame supporting roof trusses and purlins. The floor is concrete slab. It is proposed to build up internally the existing block work.

Operational development would comprise of additional door and window openings and the habitable rooms created would have adequate natural light. The submitted plans indicate that the existing roof is to remain as are the external profiled metal sheets. It is not proposed to extend the building. Blockwork would be built up internally from the existing blockwork with insulation. An internal insulated flat ceiling would constructed.

The building is currently unoccupied.

The applicant has stated that the building was in use as an agricultural unit before the 24th July 2023 (the qualifying date).

Relevant Planning History

02758/E - 2 no. new detached dwellings - Enquiry completed 08/09/2022
55746 - Relocation of existing storage tank no. 2 and installation of additional 50 tonne storage silo - Approve with Conditions 18/12/2012
68324 - Prior approval for the change of use and associated operational development required to change an agricultural building into 1no. dwelling - Prior Approval Required and Granted 28/06/2022
71461 - Two Storey Side Extension with zinc cladding and first floor balcony at rear - Approve with Conditions 14/03/2025

Publicity

Letters sent to adjacent properties on 23/9/25

Statutory/Non-Statutory Consultations

Traffic Section - No objection

Environmental Health - Pollution Control - No response received

Environmental Health - Contaminated Land - No objection subject to conditions

Pre-start Conditions - Not relevant

Development Plan and Policies

N/a

Issues and Analysis

Class Q - Agricultural Buildings to Dwellinghouses

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.

Development not permitted

Q.1. 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 2015⁶⁴ 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.

The applicant has provided a statement to confirm that the building was not in use on the 24th July 2023 but was in agricultural use when last in use and has not been used in any agricultural or non-agricultural use up to or prior to the date of this application.

It is considered the proposed change of use would not be contrary to the exclusions referred to above and as such the proposal will be assessed against the 7 specified matters under Q.2 - (1), (a) to (g).

Conditions

Q.2.—(1) Where the development proposed is development under Class Q(a) together with development under Class Q(c), 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 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, and the provisions of paragraph W (prior approval) of this Part apply in relation to that application.

Analysis -

(a) transport and highways impacts of the development - There would be no adverse impact on transport and highways use as there is an existing dropped kerb access to the site with good visibility. There would not be a significant increase in traffic to and from the site above the use as an agricultural unit.

(b) Noise impacts of the development - There would be no noise impact from the proposed development.

(c) Contamination risks on the site - The Environment Section has assessed the application and has concluded that it has a sensitive end use and the site may be potentially affected by land contamination.

The EH Section have recommended an informative -

The applicant is advised that they have a duty to adhere to the regulations of Part 2A of the Environmental Protection Act 1990, the Town and Country Planning Act 1990 and the current Building Control Regulations with regards to contaminated land. If any unforeseen contamination is encountered during the development, the Local Planning Authority (LPA) should be informed immediately. Any investigation / remedial / protective works carried out

in relation to this application should be carried out to agreed timescales and approved by the LPA in writing. The responsibility to ensure the safe development of land affected by contamination rests primarily with the developer.

(d) Flooding risks on the site - The application site is not in a flood risk zone.

(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 - By virtue of the siting and location of the building there are no issues such as the storage or movement of agricultural plant or middens that would make it impractical or undesirable for the building to change from an agricultural use to a use falling within Class C3.

(f) The design or external appearance of the building - The design and external appearance would be acceptable as it would have the appearance of an agricultural building.

(g) The provision of adequate natural light in all habitable rooms of the dwellinghouses - All habitable rooms would have adequate natural light by virtue of the proposed window openings.

In order to benefit from the permitted development rights under Schedule 2, Part 3, Class Q of the GPDO, the proposal must involve only building operations reasonably necessary to convert the building in accordance with the definition at Class Q(b) and paragraph Q.1(i)

Paragraph 105 of the PPG states that it is only where the existing building is structurally strong enough to take the loading which comes with the external works required that the development would benefit from the permitted development right.

The evidence submitted by way of structural drawings and a site visit does suggest that the building is suitable for conversion and that the required works would be limited to building operations reasonably necessary to convert, so as to be permitted development under Class Q. In reaching this conclusion, regard has been had to the High Court Judgement in the case of *Hibbitt v SSCLG* [2016] EWHC 2853 (Admin).

The timber frame could be included within the new structure. As such it is considered the amount of operational development required to convert the building to a habitable use would be what is reasonably necessary and as such it would comply with the requirements of Q(b) and would not be contrary to the practice guidance laid out in paragraph 105 of the NPPG.

As such the proposed operational development would be permitted development.

Recommendation: LAWFUL

Conditions and Reasons:

<u>Case Officer</u> JT 12/11/25	<u>Date</u>	<u>Sign off Officer</u> DM - 12/11/2025	<u>Date</u>
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