

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	250781
Site Address:	Land Rear Of 4 Douglas Grange, Hurst, Berkshire, RG10 0TT
Expiry Date:	22 May 2025
Site Visit Date:	08/04/2025
Proposal: Prior approval submission for proposed conversion of an agricultural building to form 1 no. dwelling with associated works.	

PLANNING CONSTRAINTS/STATUS

- Contaminated Land Consultation Zone
- Bat Roost Habitat Suitability
- Scale and Location of Development Proposals
- Great Crested Newt Consultation Zone
- Landscape Character Assessment Area
- Gas Pipes
- Great Crested Newt Consultation Zone Minor

PLANNING POLICY/LEGISLATION

Town and Country Planning Act 1990 (as amended)

Section 55	Provides that 'development' includes the carrying out of building operations on land, and 'building operations' includes structural alterations or additions to buildings.
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Section 57	Planning permission is needed for all development of land.
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Section 187a	Enforcement for breach of conditions
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The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Section 7	Prior approval applications: time periods for decision
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Article 3	In conjunction with Schedule 2, Part 3 Class Q grants planning permission for the change of use of buildings on agricultural units and former agricultural buildings to dwellinghouses
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Article 4	Provides that the planning authority may give direction to restrict the effect of Article 3
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PLANNING HISTORY

Application No.	Description	Decision & Date
111/49	Nissen store	Approved, 08/04/1949
PD/731/64	Two poultry houses	Approved, 31/12/1964

R/77/65	Farm buildings	Approved, 18/03/1965
R/321/66	Extension to farmhouse	Approved, 24/11/1966
PD/589/70	Five pig stores	Approved, 26/11/70
1155/71	Outline residential development in farmyard	Refused, 17/02/1972 Appeal dismissed
483/73	Outline one dwelling on land fronting Little Hill Road	Refused, 19/04/1973
PD/272/73	Sows and Boar pens	Approved, 04/05/1973
BR/618	Storage Building	Approved, 17/04/1974
25338	Detached dwellings	Refused, 23/04/1986 Allowed at appeal on 09/04/1987
28268	Detached house and garage	Approved, 05/08/1987
F/1996/63773	Proposed Formation Of Pond	Approved, 18/06/1996
F/1996/64492	Construction Of Pond (Amendment To Consent No 96/63773/F) And Construction Of Earth Bank	Approved, 19/11/1996
212830	Application for the prior approval of the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 8.00m, for which the maximum height would be 3.00m and the height of the eaves 2.90m.	Prior Approval not required, 27/09/2021
212842	Application for a certificate of lawfulness for the proposed erection of a single storey rear extension following demolition of conservatory and the proposed loft conversion with the insertion of 1 no. flat roof dormer to the rear and 3 no. rooflights.	Approved, 14/10/2021
213760	Prior approval submission for the proposed	Prior Approval

	development, Construction of 1 storey extension above the existing detached dwelling house to a new height of 10.8 metres.	Refusal, 14/01/2022
222796	Householder application for the erection of proposed first floor rear extension, to include 3no. balconies and changes to fenestration.	Refused, 02/02/2023
231773	Application for a certificate of lawfulness for the proposed provision of a new private way to provide access to the agricultural barn.	Approved, 21/09/2023
231388	Householder application for the proposed erection of a railing over part of the existing single storey rear extension to form a roof terrace, plus addition of 1no. lantern roof light and changes to fenestration.	Approved, 08/08/2023
232528	Householder application for the proposed erection of two storey side extension, plus raising of roof, to facilitate 3no. dormers.	Approved, 09/02/2024

CONSULTATION RESPONSES

Internal

WBC Environmental Health – No comments received.
WBC Drainage – No objections, subject to a condition.
WBC Highways – Further information requested.
WBC CIL - This development will be liable for CIL.

External

None consulted

REPRESENTATIONS

Parish/Town Council	No comments received
Ward Member(s)	No comments received
Neighbours	No comments received

APPRAISAL

Legal Framework:

This application seeks prior approval for the change of use of a building to a single two bedroom dwellinghouse (Use Class C3) under Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

The application was validated on 27 March 2025 and seeks prior approval for a change of use under Class Q of the Town and Country Planning (General Permitted

Development) (England) Order 2015. On 21 May 2024, amendments to the GPDO (including Class Q) came into force. However, the transitional provisions set out in Article 3 of the amending legislation allow applications to be determined under the previous version of Class Q until 20 May 2025. As this application was both submitted and validated prior to that date, it falls within the transitional period and must be assessed against the version of Class Q that was in force immediately before 21 May 2024, in accordance with the applicant's request and the statutory provisions.

Class Q comprises two parts:

- Class Q(a): the change of use of a building and any land within its curtilage from use as an agricultural building to use as a dwellinghouse (C3 use); and
- Class Q(b): the carrying out of building operations reasonably necessary to convert the building referred to in Class Q(a) to a dwellinghouse.

For development to qualify as permitted under Class Q, both the building and the site must comply with the specific limitations and conditions set out under Paragraph Q.1, in addition to meeting the broader requirements of the GPDO.

Under Paragraph W of the GPDO, an application for prior approval must be submitted to the Local Planning Authority (LPA), and the LPA must assess whether prior approval is required in respect of certain specified impacts, including:

- Transport and highways;
- Noise;
- Contamination;
- Flooding risks;
- The design or external appearance of the building (where operational development is involved);
- The amenity of the future occupiers; and
- Whether the location or siting of the building makes it otherwise impractical or undesirable for a dwelling.

However, before those prior approval matters can be considered, the LPA must first be satisfied that the proposal meets the qualifying criteria under Class Q, most notably the limitations under Paragraph Q.1.

In this case, Paragraphs Q.1(a) and Q.1(b) are of particular relevance. These provisions ensure that the building must have a lawful and recent agricultural use and must form part of an established agricultural unit.

As in force on 1 August 2020, the limitations state:

Q.1(a):

Development is not permitted if the site was not used solely for an agricultural use as part of an established agricultural unit—

- on 20 March 2013, or
- in the case of a building which was in use before that date but was not in use on that date, when it was last in use.

Q.1(b):

Development is not permitted if the building has been used for a non-agricultural use since it was last in use for agricultural purposes.

These two provisions form a gateway test. If the building or site cannot be demonstrated to have been in agricultural use on or before 20 March 2013 (or when last in use if not in use on that date), and to have remained in that use, then the permitted development rights under Class Q do not apply.

For the purposes of Class Q, an 'agricultural building' is defined by Schedule 2, Part 3, Paragraph X, which states:

“agricultural building” means a building (excluding a dwellinghouse) used for agriculture and which is so used for the purposes of a trade or business

In addition, for the purposes of Class Q, “agricultural use” is defined by Section 336(1) of the Town and Country Planning Act 1990, which states:

“Agriculture” includes horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes.

This definition does not include equestrian uses, general land maintenance, private storage, or any other rural uses not directly linked to agricultural production or land-based farming activity.

Importantly, the burden of proof lies with the applicant to demonstrate that:

- The building was in lawful agricultural use as defined above;
- The site forms (or formed) part of an established agricultural unit;
- There has been no intervening non-agricultural use since the last agricultural use.

Acceptable evidence may include: planning records, agricultural subsidy or DEFRA registration documents, tenancy or land management agreements, statutory declarations, business records, or a Certificate of Lawful Use or Development (CLEUD).

Where an application fails to demonstrate that the building meets the basic eligibility tests under Q.1(a) and (b), the proposal does not constitute permitted development, and the LPA is not required to consider the application further under Class Q.

In such circumstances, prior approval must be refused, not on the basis of any particular prior approval matter, but because the proposed development falls outside the scope of Class Q.

Class Q.1 (a)

The subject building does not meet the definition of an "agricultural building" under Paragraph X of Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended to 1 August 2020). This is because the building is not currently used—and has not been demonstrated to have been used—for agricultural purposes as part of a trade or business.

Under the GPDO, an "agricultural building" must be used solely in connection with an agricultural trade or business, not simply for the storage of machinery or ad hoc land maintenance activities. No evidence has been submitted to demonstrate that any such business exists or has existed in connection with the site.

In assessing whether the proposed development meets the requirements of Paragraph Q.1, it is also necessary to establish whether the land in question is "agricultural land" and whether the building forms part of an "established agricultural unit."

To qualify under Class Q, the building must have been used solely for agriculture as part of an "established agricultural unit" on or before 20 March 2013, or when last in use prior to that date. In this case, the available evidence does not support a finding that the land qualifies as being solely for an "established agricultural unit"

From the officers site visit, and submitted structural report, there were five private vehicles parked on the site which were not related to agricultural activity. This level of parking/storage is disproportionate considering the modest size of the overall parcel of land and what could be reasonably expected to be ancillary parking associated with a worker maintaining the land. In addition, the part of the building with a scaffold construction appeared to be in general storage use with glazing, decorating equipment and other household paraphernalia within it. The agricultural unit is not in sole agricultural use.

Consequently, the Local Planning Authority concludes that the building does not benefit from permitted development rights, and prior approval is not available.

Class Q.1 (b)

The proposal does not relate to the enlargement of the dwellinghouse; therefore, this consideration is not applicable.

Class Q.1 (ba)

The proposed floorspace measures 74.7sqm and so does not exceed this threshold.

Class Q.1 (c)

No other dwellinghouses have been developed under Class Q within the site. The proposed floorspace measures 74.7 square metres, which falls within the threshold for a smaller dwellinghouse.

Class Q.1 (d)

No other dwellinghouses have been developed under Class Q within the site. The proposed floorspace measures 74.7 square metres, which falls within the threshold.

Class Q.1 (e)

There is no agricultural tenancy for this site.

Class Q.1 (f)

There hasn't been an agricultural tenancy for this site in the last year.

Class Q.1 (g)

The proposal does conflict with Paragraph Q.1(g), as there is no evidence that the site forms part of an established agricultural unit.

Class Q.1 (h)

The proposal would not extend the external dimensions of the building beyond those of the existing structure.

Class Q.1 (i)

The PPG states that 'the right assumes that the agricultural building is capable of functioning as a dwelling'.

The PPG goes on to state *'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.'*

The submitted structural report (By Vector Structures Limited, dated 03/02/2025) states in the conclusion that *"new internal loadbearing walls can be introduced to support insulation and ceiling loads."* In essence the building and existing skeletal structure is not capable of being converted. The development is reliant upon all new

walls to act as load bearing structures for the new ceiling/roof and insulation.

The submitted structural report does not adequately demonstrate that the extent of works proposed would be limited to those permissible under Class Q(i) of the GPDO. The report states only that the building “appears” suitable for conversion, which lacks the necessary certainty or rigour expected for an assessment under Class Q. It further suggests that new internal loadbearing walls could be introduced to support insulation and ceiling loads, implying that the existing structure cannot support even basic conversion requirements. This indicates that the building is not structurally capable of functioning as a dwelling without significant new construction, exceeding the scope of works allowed under Class Q.

This is also evident from the submitted floor plans which show the proposed building to comprise of block cavity walls replacing existing timber supports. The external cladding would be attached to the new walls rather than the exiting timber skeletal structure. It would be a new building with similar external cladding and these are not works reasonably necessary for conversion - it is a new building.

The report also carries a number of limitations and disclaimers, including the absence of structural calculations, restricted access during inspection, and a recommendation that a Chartered Structural Engineer should review the conversion scheme prior to construction. This further casts doubt on the robustness and completeness of the report’s conclusions.

During the site visit, the Case Officer observed that the barn is a lightweight structure comprising four timber frames, with the rightmost section enclosed. The roof and walls are formed of corrugated metal sheets, supported by timber purlins and ring beams. The adjacent enclosed storage area consists of a mix of timber and scaffolding materials. These construction methods and materials are indicative of a structure not designed or built for residential use, and one that would require considerable intervention to achieve compliance with building standards for a dwelling.

The PPG states for Class Q, *“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.”* For the reasons set out, the existing building is not already suitable for conversion.

In view of the above, it is considered that the building is not capable of functioning as a dwelling without major works that go beyond what is reasonably necessary under Class Q (i). The proposal therefore fails to comply with the limitations of Paragraph Q.1(i) of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended to 1 August 2020).

Class Q.1 (j)

The site is not on Article 2(3) land.

Class Q.1 (k)

The site is not located within any of the specified, restricted areas.

Class Q.1 (l)

The site is not and does not contain a scheduled monument.

Class Q.1 (m)

The building is not a listed building.

Schedule 2 Part 3 Class Q.2—(1)

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

Access

The proposal involves converting an existing agricultural building into a single storey two-bedroom dwelling. The traffic generated by a single dwelling is not expected to have a significant impact on the wider highway network. The access route, previously approved under Certificate of Lawfulness ref. 231773, is to be used, and the existing sightlines are expected to be retained. As such, the Council's Highways has raised no objection to the use of this access in principle. However, the Highways Officer has requested a plan which demonstrates the manoeuvring of a fire tender vehicle entering and leaving the site access in forward gear to within 40m reach to the furthest point of the dwelling.

However, such information is considered to fall outside the reasonable scope of a Class Q application. Nevertheless, it is noted that a fire tender would be able to enter and exit the site via the existing entrance at no.4 Douglas Grange and private access lane, which measures approximately 4.4 metres in width — a dimension regarded as sufficient to accommodate emergency vehicles. Furthermore, the proposed parking and turning area within the red line boundary allows for on-site manoeuvring, ensuring that a fire tender could turn within 40 metres of the proposed building. As such, the proposal is not considered to present any unacceptable transport or highways safety concerns in relation to emergency vehicle access.

Parking

Wokingham Borough Council's parking standards require two off-street parking spaces for a dwelling of this scale (i.e., four habitable rooms) in a village location. While only one space is currently shown within the red line boundary, the wider site includes ample space to provide additional parking if required. This is a minor technical issue that can be conditioned as part of the prior approval decision. As such, this does not constitute a transport-related reason for refusal.

Cycle Parking

Two cycle parking spaces are required for a dwelling of this size. While changes to external spaces are not covered under this prior approval application, this matter can be addressed via condition in the event of any approval

(b) noise impacts of the development

No detrimental noise impact is anticipated as a result of the proposed development, particularly given the building's location approximately 67 metres from the nearest neighbouring dwelling at No. 5 Douglas Grange. The separation distance, along with the site's rural setting, provides a sufficient buffer to mitigate any potential noise disturbance. Furthermore, the conversion works will be subject to compliance with Building Regulations, which will ensure that appropriate standards of sound insulation are achieved for the benefit of future occupiers.

(c) Contamination risks on the site

Section 78A (2) of Part 2A of the Environmental Protection Act 1990(a) states that 'contaminated land' is any land which appears to the local authority in whose area it is situated to be in such a condition, by reason of substances in, on or under the land that (a) that significant harm is being caused or (b) significant pollution of controlled waters is being caused, or there is a significant possibility of such pollution being caused.

No response has been received from the Council's Environmental Health Officer. However, according to the Council's mapping system, the application site falls within an area identified as potentially contaminated. While no specific records detailing the nature or extent of the contamination are held, it is considered appropriate to take a precautionary approach. Should any contamination be encountered during the course of development, a full site investigation would be required, followed by appropriate remediation and validation, if necessary. In line with the National Planning Policy Framework (NPPF, 2024), the site must not, following remediation, be capable of being

(d) flooding risks on the site

The development site lies within Flood Zone 1 and is identified as being at low risk of surface water flooding, according to the Environment Agency's mapping. The Council's Drainage Officer has reviewed the application and raises no objection in principle to the proposed development. However, it is noted that the scheme will result in an increase in impermeable area, and no details of existing or proposed drainage arrangements have been provided. As such, it is considered necessary for a suitable drainage strategy to be submitted. This can be secured by condition in the event of any approval.

(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

Paragraph 109 of the Planning Practice Guidance (PPG) acknowledges that the terms '*impractical*' and '*undesirable*' are not defined within the General Permitted Development Order (GPDO). It advises that local planning authorities should apply their ordinary dictionary meanings when making an assessment. '*Impractical*' is taken to mean something that is not sensible or realistic, while '*undesirable*' suggests a proposal that would be harmful or objectionable.

The PPG further states that decision-makers should begin from the position that Class Q of the GPDO grants permitted development rights for the change of use from agricultural to residential. Nonetheless, there may be circumstances where the impact of the change cannot be reasonably mitigated. As an example of impracticality, the PPG refers to locations where a building is situated on top of a hill with no access to a road, or where essential services such as power, water, drainage, or gas cannot be provided.

In the case of the current application, none of the above concerns apply. The site benefits from an existing private access route that connects to the public highway, and there is no physical or topographical constraint (e.g., extreme elevation or isolation) that would render the conversion unrealistic or unachievable. While services such as electricity, water, and drainage are yet to be installed, there is no indication that their provision would be unfeasible. These are typical matters resolved at the implementation stage of development.

Similarly, the site is not located adjacent to any operations that would be considered ‘undesirable’ within the meaning of the PPG, such as intensive livestock farming, silage storage, or buildings housing hazardous materials or machinery. The location is not considered harmful or objectionable in planning terms.

(f) the design or external appearance of the building

The proposed design incorporates a combination of vertical and horizontal light grey timber cladding across the front elevation, along with anthracite-framed UPVC windows. The existing corrugated metal sheeting is to be retained on the rear and side elevations. While the materials proposed do not wholly preserve the traditional agricultural character of the building—aside from its form and structure—the use of natural timber cladding on the principal elevation does offer a degree of visual softening. This represents a modest enhancement over the stark industrial appearance of the existing corrugated metal-clad structure.

As such, the proposal is not considered to result in any significant harm to the character or appearance of the area. The building is set back from public vantage points and accessed via a private track, thereby limiting its visual prominence in the wider landscape. It is not considered that the proposed alterations would introduce an incongruous or intrusive element into the countryside or undermine the rural setting of the site.

g) the provision of adequate natural light in all habitable rooms of the dwellinghouses

The building is positioned approximately 3 metres from the south-western side boundary of the blue-edged land, as shown on the submitted location plan. Both aerial imagery and observations from the Case Officer’s site visit (see figure 3 below) confirm that this boundary is lined with tall, mature hedgerow, some of which extends beyond the applicant’s ownership and therefore cannot be managed or reduced.



Figure 4 - Site visit photo taken on 08/04/2025 showing the subject building and extent of vegetation of the along the south-western side boundary.

The ground floor rear window serving Bedroom 1 — the sole window to this habitable room — is likely to receive limited natural light due to the height and density of this hedgerow. In the absence of a daylight assessment demonstrating otherwise, it is considered that this room may not receive adequate levels of daylight to ensure acceptable living conditions for future occupiers. The proposal therefore conflicts with Class Q.2 (g).

Each of the remaining habitable rooms is served by appropriately positioned windows, which are expected to receive adequate levels of natural light.

The Public Sector Equality Duty (Equality Act 2010):

In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. There is no indication or evidence (including from consultation on the application) that persons with protected characteristics as identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts as a result of the development.

RECOMMENDATION

Recommendation:	Refusal
Date:	21 May 2025
Earliest date for decision:	20 April 2025

Recommendation agreed by: (Authorised Officer)	<i>MC</i>
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Date:	22.05.2025
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