
Appeal Decision

Site visit made on 30 March 2017

by H Butcher BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 8 May 2017

Appeal Ref: APP/C3105/W/16/3167003

Spring Hill Farm, Barford St Michael, Oxfordshire, OX15 0PL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order.
 - The appeal is made by R. C. Baker Ltd against the decision of Cherwell District Council.
 - The application Ref 16/01116/Q56, dated 6 June 2016, was refused by notice dated 30 August 2016.
 - The development proposed is the conversion of part of an existing barn to 2 dwellings with associated development.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The application to the Council was made under Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) which permits 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 (dwellinghouses) of the Schedule to the Use Classes Order.
3. The main issue is whether the proposal would accord with Class Q, having particular regard to Q(b), that the building operations proposed are reasonably necessary to convert the building, and fall within the works permitted by Q.1(i), which includes the installation or replacement of windows, doors, roofs or exterior walls to the extent reasonably necessary for the building to function as a dwellinghouse.

Reasons

4. The appeal concerns a large steel frame barn of relatively recent construction which is currently used for grain and plant storage. Apart from an opening to the front for access the building is completely enclosed by concrete wall panels to a height of approximately 3.6m, above which is profiled steel sheeting. The roof covering is of a deep profiled corrugated fibre cement sheet into which roof-lights have been inserted. The floor is a ground floor slab of reinforced concrete.
 5. It is proposed that the existing concrete wall panels will be replaced with natural stone walls, and timber boarding would replace the existing steel cladding, along with any associated insulation. The existing ground floor slab would support the loading of the new walls which would support a traditional
-

timber first floor structure and any associated partitions and ceilings. The plans before me also show the insertion of new windows and doors. Furthermore the existing roof would require upgrading; either by replacing the current cement roof sheets with an insulated steel panel or by way of additional insulation.

6. Based on the structural report before me I have no reason to doubt that the existing floor slab is strong enough to take the loading of the works proposed. However these works are extensive. The part of the barn proposed to be converted would need all of the existing walls to be replaced and a whole new wall along one elevation. New windows and doors are proposed where there are currently none. It is also likely that the roof will need to be replaced. Such works could be said to fall under the scope of class Q.1(i). However, Q(b) concerns the conversion of the building and, Q1.(i) the works reasonably necessary to achieve this. As set out in the Planning Practice Guidance, the assumption is that the building in question is capable of functioning as a dwelling. The only parts of the building that will likely be retained will be the existing steel structure and the floor. To my mind the works required to enable the building to function as a dwellinghouse go beyond a conversion and the statutory limits of what could be considered reasonably necessary to achieve this. Essentially a rebuild is required around the existing steel frame.
7. Based on the above the proposed works would go beyond building operations reasonably necessary to convert the building as set out in Q (b) and Q.1(i) and as such would not be development permitted under Schedule 2, Part 3, Class Q of the GPDO.

Other matter

8. Given my conclusion above there is no need for me to consider the prior approval matters as it would not alter the outcome of the appeal.

Conclusion

9. For the reasons set out above, and having had regard to all matters raised, the appeal is dismissed.

Hayley Butcher

INSPECTOR