



Appeal Decision

Site visit made on 5 November 2020

by B Davies MSc FGS CGeol

an Inspector appointed by the Secretary of State

Decision date: 3 December 2020

Appeal Ref: APP/Y3940/W/20/3257448

Roundway Farm, Roundway, Devizes, Wiltshire, SN10 2HZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3, Schedule 2, Part 3, Class Q of the Town Country Planning (General Permitted Development) Order 2015 (as amended).
 - The appeal is made by Mr Jim Butler against the decision of Wiltshire Council.
 - The application Ref 20/03737/PNCOU, dated 11 February 2020, was refused by notice dated 25 June 2020.
 - The development proposed is the conversion and adaption of existing grain store to provide 5 No dwellings.
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Decision

1. The appeal is dismissed.

Procedural matters

2. Section 1.4 of the appellant's statement refers to updated plans that annotate the uninhabitable rooms. Revised plans were not attached and the Council expressed concern over this. The appellant has subsequently referred to Appendix 1 of their submission, which contains a letter submitted as part of a previous application. I am satisfied that information regarding habitable rooms is clearly shown on the original plans dated September 2019 and have therefore not pursued this discrepancy further. I have proceeded on the basis of the originally submitted plans.

Main issue

3. The main issue is whether or not the proposal would be permitted development under Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (the 'GDPO').

Reasons

4. The proposal is to convert a disused grain store into 2 larger and 3 smaller dwellinghouses. It is in dispute whether or not the proposed building operations fall beyond those reasonably necessary to convert the barn into residential use, and whether the overall extent of works goes beyond conversion. It is not in dispute that the building meets the other requirements of the Order and a survey has confirmed that the building is structurally capable of conversion.

5. The appeal site is a steel framed barn, set back from a narrow country lane amongst other smaller structures. It is L shaped by virtue of a large 'lean-to' on the northern side, running most of the length of the building. The bottom half of the structure is corrugated steel and the top half cement fibre sheets, with a cement fibre roof. There are several steel doors of full height to the north and west, whereas the south and east elevations are featureless.
6. The proposal is to demolish the large 'lean-to' structure. The remaining rectangle would have central bays inserted on the north and south elevations, creating a building in the shape of an 'H' that would meet the floor space requirements in the Order. This is an amended submission following dismissal of a previous proposal on appeal¹.
7. I consider that the extent of fenestration goes beyond what is functionally necessary. As an example, the living rooms of Units 3 and 5 have long bi-fold doors in addition to a full-length glazed window and door, and 2 large windows. I appreciate that these are big, open-plan rooms, but the extent of fenestration has not been justified as reasonably necessary for the building to function as a dwellinghouse, as required by Q1(i) of the Order.
8. Demolition of the lean-to would result in the need to construct a new exterior wall along approximately 75% of the long, northern elevation. It has not been explained why the building operations facilitated by the demolition would be required for the building to function as a dwellinghouse, as required by Q1(ii). The appellant has drawn my attention to an appeal at Hazmoor Farm in Purton². This case is different because the original stone barn had an open front and construction of a wall was therefore reasonably necessary to convert the building to a dwelling. In this case, existing walls would need to be demolished to facilitate construction of new walls and it is not clear why this is reasonably necessary for the building to function as a dwellinghouse.
9. In addition, a large central section of the northern and southern walls, including the roof, would be demolished to allow insertion of large bays for the purpose of allowing light into Unit 2. No justification is provided as to why Unit 2 needs to be placed in the centre of the building. On this basis, I cannot accept that the demolition and subsequent operations are reasonably necessary for the building to function as a dwellinghouse.
10. Even if it could be demonstrated that Unit 2 needs to be at the centre of the building, the extent of the works required to facilitate this is considerable. In addition to removal of the lean-to, the works required to achieve this would result in a structure that is significantly different to the original. To my mind, the extent of the proposed works goes considerably beyond what could reasonably be described as a conversion as required by Q(b) of the Order.
11. Walls would be dry lined between the steelwork and spray painted, which would better reflect the original structure than the previous proposal. The roof would not be lowered, which also reduces the extent of the operations required to convert the building. However, despite these modifications I conclude that the extent of works is not demonstrably reasonably necessary and that the works proposed still go beyond mere conversion.

¹ APP/Y3940/W/17/3174323 (9 October 2017)

² APP/Y3940/W/18/3196249 (26 September 2018)

12. The appellant states that this design approach has been used elsewhere and has drawn my attention to a converted grain store at East Dunley Farm, near Grittleton³. Based on the information provided, the original building appears to have been different in shape, and the bays were only inserted at ground floor level. Changes were therefore not required to the first floor and roof, meaning that considerably less work was required to convert the building. In addition, the bays appear to have been designed to introduce light to the single storey dwellinghouses on either end of the building, and therefore appear to have been reasonably necessary. I note that the plan for East Dunley Farm shows intense fenestration along one side, but without further context it is not possible for me to draw a meaningful comparison on this factor.
13. I have noted discussion regarding the potential to install new walls internally and expose them at a later date, and the thickness of internal walls. As I am dismissing the appeal for other reasons, I have not considered these matters further.

Conclusions

14. I have found that the proposed works would not comply with the relevant criteria of Schedule 2, Part 3, Class Q of the GPDO by virtue of the extent of works required to create the proposed dwellinghouses.
15. For this reason, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

B Davies

INSPECTOR

³ 19/03366/PNCOU (date unknown)