



Appeal Decision

Site visit made on 26 April 2021

by Martin Chandler BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 May 2021

Appeal Ref: APP/F0114/W/20/3262419

Chew Hill House, Chew Hill, Chew Magna, Bristol BS40 8SA

- 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 2015 (as amended).
 - The appeal is made by John Jones against the decision of Bath & North East Somerset Council.
 - The application Ref 20/02842/ADCOU, dated 7 August 2020, was refused by notice dated 13 October 2020.
 - The development proposed is conversion of existing metal framed dutch barn into a 2 bedroom dwelling. All rooms will have good natural light.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal represents permitted development by virtue of Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the 2015 GPDO).

Reasons

3. Class Q (a) of the 2015 GPDO permits development consisting of a change of use of a building and any land within its curtilage from a use as an agricultural building to a use as a dwellinghouse. Class Q (b) permits building operations reasonably necessary to convert the building referred to in paragraph (a).
4. The Planning Practice Guidance (PPG) states that the permitted development right under Class Q 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 its external appearance, and which would otherwise require planning permission. The PPG clarifies that 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. Consequently, 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.
5. The existing barn has a rectangular footprint with a barrelled roof. Externally, it is clad in corrugated metal sheeting, and internally, three of the walls are

partly clad with timber. The proposal has been supplemented with a structural report which confirms that the internal steel structure is in reasonable condition with connections fully welded. Moreover, there are no signs of any movement within the building. Accordingly, as an agricultural building, the structure is entirely fit for purpose.

6. Despite this, the statement also confirms that the steel sections used in the construction of the barn are relatively small, that no ground floor structure has been constructed with the natural ground remaining, and it is also assumed that the building has been constructed on shallow foundations. Consequently, due to the nature of the building, specific works are recommended to facilitate the proposed conversion. Due to the small steel sections, these would include an additional structure to ensure the overall stability of the building, and to support new walls, floors, and roof. Additionally, new foundations would be required along the perimeter of the barn, and a new ground floor slab would also be necessary.
7. The works identified by the report are substantial. Indeed, based on the evidence before me, their nature and extent are such that a new structure would effectively be built to support the existing building. This is different to incorporating the existing structure as suggested by the appellant, as the necessary works would likely make the existing structure somewhat redundant. As identified above, the PPG states that Class Q assumes that the agricultural building is capable of functioning as a dwelling, and that the existing building is already suitable for conversion. However, without the proposed works, which are fundamental to structural integrity, a residential use could not be introduced into the building. The proposal would therefore not reasonably represent a conversion and instead would amount to substantial re-building of the existing structure. As a consequence, I am satisfied that the agricultural building is not capable of functioning as a dwelling without rebuilding work which would go beyond what is 'reasonably necessary'. Accordingly, I conclude that the proposal would not be permitted development under Schedule 2, Part 3, Class Q of the 2015 GPDO.

Conclusion

8. For the reasons identified above, the appeal is dismissed.

Martin Chandler

INSPECTOR