



Appeal Decision

Site visit made on 5 June 2025

by **David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 25 June 2025

Appeal Ref: APP/P2935/W/25/3361925

West View, North Bank, Haydon Bridge NE47 6NA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO).
 - The appeal is made by Mr Graeme Scantlebury against the decision of Northumberland County Council.
 - The application Ref is 24/02917/AGTRES.
 - The development proposed is change of use of agricultural building to residential use.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. On the application form, it is confirmed that the application will use the permitted development right as it stood prior to 21 May 2024. I have proceeded to determine this appeal on that basis.

Main Issue

3. The main issue is whether the proposal would be permitted development under the provisions of Class Q of the GPDO, more specifically would the building operations be considered reasonably necessary to convert the building to a use falling within Class C3 of the Use Classes Order (UCO).

Reasons

4. The description of the proposal refers to a change of use of an agricultural building to a residential use. The application form indicates that the proposal includes building works or other operations. Class Q(b) of the GPDO includes building operations which are reasonably necessary to convert the building to a use falling within Class C3 of the UCO. The GPDO at paragraph Q.1(i) includes a range of building operations, but also states that these should be to the extent reasonably necessary for the building to function as a dwellinghouse.
5. As set out in the Planning Practice Guidance¹ (the Guidance), 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

¹ Paragraph: 105 Reference ID: 13-105-20180615

development right. The difference between a conversion and a rebuild has also been discussed in the *Hibbitt*² judgment.

6. A Structural Survey³ submitted by the appellant specifies that the building structure is capable of conversion to a dwelling. The proposed works involve the retention of existing frame, floor and blockwork but would replace the cement cladding with wood composite cladding and a zinc roof. Therefore, although some elements of the existing structure would be retained, the proposed new materials would cover almost the entire external envelope of the building including the roof.
7. Substantial works can fall within the scope of Class Q. But they should still comprise of a conversion of the building rather than a rebuild, and I have had regard to *Hibbitt* and the Guidance on this matter. The nature and extent of the proposed building operations involve rebuilding work which would go beyond what is reasonably necessary to convert the building to a residential use and would in effect represent a rebuild. Even if the frame and other elements would be retained and would be capable of supporting the resultant building, as a matter of fact and degree the proposed operations exceed what could reasonably be described as a conversion.
8. The appellant refers to other buildings which they consider are similar to the appeal proposal and which have been converted with planning permission or allowed on appeal. But it has not been demonstrated that these were implemented via the prior approval process, or if they fully reflect the circumstances of the appeal proposal as well as the Guidance or the conclusions of *Hibbitt*. The Council also refers to inconsistencies in appeal decisions for barn conversions elsewhere. In any event, I have determined this appeal on its individual merits based on the evidence before me.
9. Reference is also made to pre-application comments from the Council which preceded a previous planning application for the site. However, these comments refer to a limited change in the materials which does not reflect the circumstances of the appeal before me. Furthermore, such pre-application discussions are undertaken without prejudice to the decision that the Council may make on a subsequent application. The Council's pre-planning application comments do not lead me to a different conclusion on the proposal based upon what I have seen and read in respect of this prior approval application.
10. I therefore conclude that the proposal would not be permitted development under Schedule 2, Part 3, Class Q of the GPDO and that the appeal should be dismissed.

David Cross

INSPECTOR

² *Hibbitt and another v Secretary of State for Communities and Local Government* (1) and *Rushcliffe Borough Council* (2) [2016] EWHC 2853 (Admin).

³ BT Bell Consulting Engineers: 24092 BTB SMW