



Appeal Decision

Site visit made on 23 June 2025

by **B Phillips BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 18 July 2025

Appeal Ref: APP/E3335/W/25/3360149

Little Bankland Farm, Banklands Lane, North Newton, Bridgwater, Somerset TA7 0DJ

- 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 appeal is made by R W Jenkins against the decision of Somerset Council.
 - The application Ref is 37/24/00063.
 - The development proposed is the change of use of agricultural building to 1No. Dwellinghouses (Class C3), and associated building operations.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The above description is taken from the Council's decision notice. I have removed wording that does not describe development.
3. An additional plan was submitted with the appeal (Proposed construction method drawing DSGN0264_CQ2_P06). This does not alter the proposal in any way, and so there is no harm to natural justice in my considering this plan.

Background and Main Issues

4. Schedule 2, Part 3, Class Q of the of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the 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 falling within Class C3 (dwellinghouses) of the Schedule of the Use Classes Order 1987 (as amended), and the building operations reasonably necessary to convert the building subject to certain limitations and conditions.
5. The main issue is:
 - whether the proposal would be permitted development under Schedule 2, Part 3, Class Q of the GPDO, with particular regard to the building operations reasonably necessary to convert the building to residential use.

Reasons

6. The appeal site comprises of an agricultural building located within the Little Bankland Farm complex, accessed off Bankland Lane. The site is made up of a

range of agricultural buildings with a residential dwelling opposite the appeal building.

7. Paragraph Q.1(j) of the GPDO lists the building works permitted to facilitate the change of use of an agricultural building to a dwellinghouse. These are the installation or replacement of windows, doors, roofs, exterior walls, water, drainage, electricity, gas or other services, as well as partial demolition to the extent reasonably necessary to carry out these building operations.
8. The Planning Practice Guidance¹ (the PPG) provides further information in that regard, by stating that the right assumes that the agricultural building is capable of functioning as a dwelling. The PPG adds that it is only where the existing building is already suitable for conversion to residential use that it would be considered to have the permitted development right.
9. The appeal building is a steel frame barn, with a completely open eastern elevation. The other three elevations are a mix of partial concrete wall elements, some timber cladding and some metal sheeting. I observed that the short concrete block/panel wall on the rear does not extend its full width, and there is some timber panel infilling. This gives the building a haphazard, patchwork appearance. Moreover, the miss-matched spaced timber cladding on the three elevations means that views out of the building are possible in each direction.
10. The structural report² submitted with the application concludes the building is capable of conversion and sets out that only 'limited remedial work' is required. The appellant's statement outlines the existing cladding, masonry and external frame would be retained. However, this would result in a haphazard external appearance. Due to the poor state of each elevation and the gaps in the existing walls, the building is effectively open to the elements on all sides to some extent, and substantial re-building works on each elevation would be necessary. This does not amount to limited remedial work.
11. In order to properly enclose and weatherproof the structure, walling would be required which, whilst not replacing the cladding, would form part of the external fabric of the building, and materially affect its external appearance, particularly on the rear elevation. Even if required by building regulations, I do not consider that these works could reasonably be described as limited to internal insulation work.
12. Even if the individual elements of the works proposed each fall within those specified in Paragraph Q.1(j), taken as a whole, cumulatively the building operations which would be required to provide a building suitable for residential use would be extensive and significant. Consequently, the existing building cannot therefore reasonably be described as being capable of functioning as a dwelling.
13. The approved scheme³ nearby referenced by the appellant appears from the photographs to have a more consistent concrete wall element, even if there is also the use of hit and miss timber cladding.
14. Limited detail is provided of the converted brick barn⁴ opposite the appeal site which prevents full comparison however it is evident that the material of the

¹ Reference ID: 13-105-20180615

² By re:DSGN Ltd, June 2024

³ Application reference 37/20/00106

⁴ Application reference 37/23/00019.

structure is different. As such, I do not consider these three examples are directly comparable.

15. I conclude that the proposal would not constitute permitted development in respect of Class Q of the Order with particular regard to building operations reasonably necessary to convert the building to residential use.

Conclusion

16. For the above reasons, I conclude that the proposal is not permitted development within Schedule 2, Part 3, Class Q of the Order. The appeal is therefore dismissed.

B Phillips

INSPECTOR