
Appeal Decision

Site visit made on 11 July 2025

by **Lewis Condé BSc, MSc, MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21 July 2025

Appeal Ref: APP/D1265/W/25/3364527

St Andrews Farm Barn, Woodbridge Lane, Bedchester, Dorset SP7 0BF

- 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 Penview Homes Limited against the decision of Dorset Council.
 - The application Ref is P/PAAC/2024/06287.
 - The development proposed is conversion of redundant agricultural building for residential development.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development in the banner heading above is taken directly from the original application form, albeit I have removed wording that does not refer to acts of development.
3. The appeal proposal relates to a prior approval notification made under Article 3(1), Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) Order 2015, as amended (GPDO). Development plan policies and the National Planning Policy Framework (the Framework) can be considered relevant in prior approval cases, but only insofar as they relate to the development and prior approval matters. I have proceeded on this basis.

Main Issue

4. The main issue is whether the proposal would be permitted under Article 3(1), Schedule 2, Part 3, Class Q of the GPDO, specifically:
 - whether the required building operations are to the extent reasonably necessary to carry out the conversion of the building; and if so,
 - whether the location or siting of the building would make it otherwise impractical or undesirable for it to change from an agricultural to residential use, in terms of its effect on the living conditions of future occupiers with particular regard to noise and disturbance.
5. Based on the submissions of the main parties, there is no reason for me to believe that the other criteria of Class Q are not satisfied. Consequently, there is no need to give them further consideration in this decision.

Reasons

Building Operations

6. The appeal building consists of two main sections, namely a Dutch barn with an adjoining lean-to. Both sections of the building are formed with steel frames. The Dutch barn is entirely open to its end elevation, while two other elevations contain only high-level corrugated sheet cladding. Where the Dutch barn and lean-to meet, there is a dividing blockwork wall formed between steel columns, albeit the blockwork is only present at a low level. The Dutch barn also has a curved corrugated roof, while its floor is made up of compacted stone.
7. The lean-to element is more enclosed, with its external elevations primarily comprising blockwork at a low-level with 'hit and miss' timber cladding above, but an end elevation remains highly open. Meanwhile, the roof of the lean-to section of the building is clad with corrugated asbestos sheeting and its floor area consists of a concrete slab.
8. Class Q of the GPDO allows for the change of use of agricultural buildings to a use falling within Class C3 (dwellinghouses), together with building operations reasonably necessary to convert the building to such use.
9. The Planning Practice Guidance (PPG) advises that the right under Class Q assumes that the agricultural building is capable of functioning as a dwelling. The PPG is clear that it is not the intention of the permitted development rights to allow rebuilding work that would go beyond what is reasonably necessary for the conversion of the building to a residential use. Therefore, it is only where the existing building is already suitable for conversion to residential use that the building would be considered benefit from the permitted development right.
10. Neither the GPDO nor the PPG define the term 'reasonably necessary'. It is therefore a matter of planning judgement based on fact and degree of an individual case. Through the Hibbitt judgement¹, case law has though been established in respect of the difference between conversions and rebuilding dealt with under Class Q. The Hibbitt judgement indicates that an agricultural building may be so skeletal and minimalist that the works needed to alter it to be used as a dwellinghouse would be of such a magnitude that it would be tantamount to a new build as opposed to a conversion. Furthermore, Hibbitt reinforces that it is a matter of planning judgement as to whether the level of works involved would still constitute a conversion.
11. The appellant's submitted structural evidence states that the existing steel framework and blockwork, can be retained and utilised to support the new construction loads of the proposed dwellings, without significant repair or adaptation. The appellant's structural findings are, however, subject to limitations. This includes that the structural survey involved only a visual inspection of the building, with the building's column foundation not being subject to detailed investigation. Nor have any detailed structural calculations for the proposed development been presented.
12. Furthermore, the submitted structural reports, indicate that a new first floor within the building would be formed using a grid of steel beams supported on new and

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

existing columns. No specific details as to the size, extent and location of the new columns, or any relevant structural calculations, have been provided. The submitted evidence does though indicate that new isolated pad foundations will also be required for the columns to support the first-floor structure.

13. From the evidence before me, I am therefore not entirely convinced that the proposal is capable of delivery without the building incorporating new structural elements. Even if the existing steel frame is structurally sound and capable of being used without new structural elements, consideration still needs to be given to the total extent of works proposed and whether they amount to a conversion of the building.
14. The proposed development would retain the low-level blockwork to the lean-to part of the building. Nevertheless, substantial areas of new or replacement walls, along with window and door openings would be provided to each elevation of the building. Indeed, the appeal scheme would involve removing the building's existing external corrugated cladding and 'hit and miss' timber cladding and replacing it with composite cladding. These works would be aided via a new internal timber frame to be provided between the existing steels. Additionally, the external walls that would be added to the Dutch-Barn would also necessitate new concrete strip foundations.
15. The existing corrugated roof coverings across the building would also be replaced with composite corrugated sheeting. Whilst the proposal involves retaining existing trusses, rafters, and purlins to provide support for the new roof cladding, supplementary purlins would be required for the roof over the Dutch Barn section.
16. Meanwhile, the proposed development would involve the installation of a new concrete slab floor, alongside the addition of insulation and a damp proof membrane. As indicated, a first floor is also proposed to be added involving new column supports and isolated pad foundations.
17. Individually, the works for each of the above identified components may be operations outlined as permissible under the terms of paragraph Q.1(j)(i) of the GPDO. Nonetheless, I find that very little of the current external fabric of the building would remain, while the totality of the works involved would exceed that of a conversion and be tantamount to a new build.
18. Accordingly, the proposed development would go beyond building operations reasonably necessary to convert the building into a dwellinghouse. As such it would not benefit from the permitted development rights under Schedule 2, Part 3, Class Q of the GPDO.

Noise and Whether the Location of the Building is Impractical or Undesirable

19. As the proposal has not been demonstrated to amount to a conversion, or accord with the requirements of the GPDO, it is not necessary for me to consider whether the proposal would comply with conditions at Q.2(1)(b) and (e) of the GPDO. I have therefore not considered these issues further.

Other Matters

20. A significant number of prior approval application and appeal decisions have been presented to me. From the available information, there are clearly some similarities between these previous decisions and the current appeal proposal. It nevertheless

remains that the examples highlighted relate to a variety of individual case judgements and cover a range of building specific operations, whilst I do not have the full background details for each. From my reading of the decisions and extracts provided, it is also clear that there were differences in the conditions of the subject buildings and the level and detail of supporting information provided alongside many of those other schemes. In any event, I have determined the appeal on its own merits based on the information before me.

21. The appellant may be able to undertake maintenance and repairs of the existing building without the requirement for planning permission, including works such as re-roofing or re-cladding the building. Still, this does not alter the fact that the development before me does not meet the requirements of Class Q of the GPDO.
22. The potential benefits of the proposal are matters that fall outside the scope of the prior approval process.

Conclusion

23. For the reasons given above, I find that the proposal is not permitted development under Article 3(1) and Schedule 2, Part 3, Class Q of the GPDO. The appeal is therefore dismissed.

Lewis Condé

INSPECTOR