



Appeal Decision

Site visit made on 8 July 2025

by **H Faulkner BSc (Hons) MSc PGCE MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12 August 2025

Appeal Ref: APP/Y3940/W/25/3364070

Willow Tree Barn, Ford Lane, Ford, Salisbury SP4 6DJ

- 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 Mr Small against the decision of Wiltshire Council.
 - The application Ref is PL/2024/11353.
 - The development proposed is Conversion of agricultural building to one Use Class C3 dwellinghouse.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. As there is no single clear description on the application form I have used the description from the appellant's statement in the banner heading above. This clearly describes the development proposed.

Background and Main Issues

3. 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 (GPDO), development is permitted for the change of use of a building and any land within its curtilage, from use as an agricultural building to a use falling within Class C3 (dwellinghouses) together with building operations reasonably necessary to convert that building, subject to limitations and conditions.
4. The main issues are whether the proposed development would constitute permitted development in respect of Class Q and paragraph Q.1(i); and, if the proposal is found to constitute permitted development, whether prior approval would be required and should be granted.

Reasons

Whether the proposal constitutes permitted development

5. The existing building is long and narrow with a shallow pitched roof. The central section has two doors and is enclosed. At one end the building is open on two sides. The other end of the building is partially enclosed by metal sheeting. The building is attached to other structures which do not form part of this appeal.
6. When viewed externally the walls are a mix of timber boarding and corrugated sheeting. During the site visit I observed that some of the metal sheeting was

rusted and the timber boarding had a weathered appearance with some visible holes. Although the front section of the roof is slate the rear section is profiled sheeting. Overall, the building has a somewhat ramshackle appearance.

7. Internally, a blockwork wall was visible in the central enclosed section of the building forming the lower part of the wall. Some of the internal partitions were also blockwork. Low sections of block work were also visible at the open end of the building.
8. The GPDO notes that development is not permitted by Class Q if the development would consist of building operations other than the installation or replacement of windows, doors, roofs, or exterior walls, or, water, drainage, electricity, gas, or other services. This is to the extent reasonably necessary for the building to function as a dwellinghouse and partial demolition to the extent reasonably necessary to carry out building operations allowed by paragraph Q.1(j). Planning Practice Guidance (the PPG) states at paragraph 150 of the 'When is permission required?' section that 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. The GPDO and the PPG do not define the term 'reasonably necessary.' Therefore, this is a matter of planning judgement based on fact and degree of an individual case.
9. Two structural assessments have been provided. Both assessments were based on a ground level visual assessment only, with no intrusive investigations carried out. There are no structural calculations, load bearing or foundation details before me.
10. The Harvey and Snowdon report concludes that the roof would require insulation and that could take place underneath the existing structure and that infilling of the walls could take place within the timber frames. It also states that walls can be lined without affecting the existing structure. The report notes that the corrugated tin roof was in poor condition but can be replaced like for like. The conclusions of the report are that the structural condition of the barn is that it is capable of being converted to a single storey dwelling. This is within the context of noting that some elements will need to be replaced, e.g. the roof.
11. The Andrew Waring Associates report (March 2025) notes that the walls appear to have been built directly off the slab, suggesting a lack of foundations. It also states that existing timber walls would need to be supplemented but it is not clear what that means. Further to this any damaged or unsightly cladding is recommended to be replaced, although it does note that much can be retained. The conclusion of the report is that some enhancement to the structure will be necessary and that the structural fabric of the buildings can be retained without changing or removing any of the existing structural elements which are in good condition.
12. Although two structural reports have been provided both identify deficiencies in the building. Both reports are the basis of structural considerations rather than planning judgement. Whilst the reports may find the building has the potential to be converted it is not clear from either the reports or the plans how much of the building would actually be retained and how much in reality would need to be replaced.
13. In its existing form the building only has a small section which is fully enclosed. In order to create the proposed dwelling new walls would be required where the

building is currently open. To provide appropriate walls and insulation around the other elements of the building further new walls would be required. The metal profile roof would also need some form of insulation if it were not replaced in its entirety. Given the nature of the existing materials on the site, which are in places particularly lightweight or in poor condition, I find that it would be unlikely and undesirable that the existing materials would be retained and would more likely be replaced almost entirely for the building to be habitable as a dwelling. Even if this were not the case the physical works to enclose the end sections of the building would be significant in the context of the size of the building as a whole.

14. I accept that Class Q allows for the installation or replacement of windows, doors, roofs, or external walls. However, in this case even if it were accepted that all the existing walls were retained large sections of walls are currently missing. The appellant calculates this as 23%. There is no definition within the legislation or guidance as to what percentage would be acceptable and each case will be different so making comparisons with other approvals may not assist. For example, reference is made to permissions at Chestnut Farm (PL/2022/09636) and Land to the West of the Great Durnford Estate (PL/2022/08110), where only the officer reports have been provided and there is no evidence to indicate that they are directly comparable. Where some drawings are shown in the case of Land to the West of the Great Durnford Estate the works appear to be more limited than the appeal scheme.
15. Even if I were to be satisfied that the existing building was structurally sound, this alone does not demonstrate whether the required building operations (and any partial demolition) are reasonably necessary to convert the building to residential use. I observed on site, notwithstanding the structural assessment, the condition of the metal and timber elements of the building. No details, such as a schedule of required works to the existing skeletal structure are before me. The submitted drawings also indicate the construction of external walls where these do not currently exist. Overall, the proposal would entail a substantial amount of physical intervention.
16. When considering the findings in *Hibbitt and another v Secretary of State for Communities and Local Government (1) and Rushcliffe Borough Council (2)* [2016] EWHC 2853 (Admin) the building must be capable of conversion to residential use without operations amounting to complete or substantial re-building of the pre-existing structure. On the basis of the information provided I am not satisfied that significant elements of the building would not need to be either provided, in the case of new walls, or replaced in the case of the roof. Whilst the frame structure may essentially be sound there is a lack of certainty over how much of the remaining structure could or would be retained. I therefore conclude that the works would go beyond what would be considered to be reasonable and necessary for the conversion of the building to a residential use to be considered to be a conversion.
17. It is clear that some works have taken place recently to structurally improve the building which includes some repairs to the roof, blockwork, and some concrete flooring. Even if it is accepted that these works did not require permission and even with these works being completed, I am not satisfied that the building is suitable for conversion, for the purposes of Class Q and the PPG.

18. In the appeal at The Old Dairy (APP/Y3940/W/23/3320783) the decision letter references that the works would not involve removing the external cladding or the roof. Therefore, I do not find this comparable to the building being considered as part of this appeal, where such replacements are likely to be necessary.
19. Overall, I am unable to conclude that the development would consist only of building operations reasonably necessary for the building to function as a dwellinghouse. As such, the proposal would not benefit from the permitted development rights under Schedule 2, Part 3, Class Q of the GPDO.

Whether prior approval is required and should be granted

20. The conditions set out in paragraph Q2(1)(a) to (g) relate to certain details of the proposed development, including transport and highways, noise, contamination, flooding, location or siting, design or external appearance, and the provision of adequate natural light. Given my findings above there is no need for me to assess the proposal against paragraph Q2 of the GPDO.

Other Matters

21. The site lies within the Avon Special Area of Conservation (SAC) catchment area. As I am dismissing the appeal there is no need for me to further consider the effect of the proposal on the integrity of the SAC. Whilst an Appropriate Assessment would have been required if the appeal were allowed this would have been under regulations 75 to 78 of the Conservation of Habitats and Regulations 2017 which is a separate process where a development is permitted development.

Conclusion

22. For the reasons given above, I find that the proposed development would not be permitted development under Schedule 2, Part 3, Class Q of the GPDO and the appeal should be dismissed.

H Faulkner

INSPECTOR