
Appeal Decision

Site visit made on 16 September 2025

by **R J Redford MTCP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 26 September 2025

Appeal Ref: APP/D0121/W/25/3363791

66 Dundry Lane, Dundry, North Somerset BS41 8JQ

- 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 Coast Finance Ltd against the decision of North Somerset Council.
 - The application Ref is 24/P/2556/CQA.
 - The development proposed is for a change of use of agricultural buildings to 2no. dwellinghouses (Use Class C3).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The prior approval application was submitted to the Council on 4 December 2024, and as per the transitional arrangements¹ the appellant has confirmed they sought the application to be decided in respect of the previous version of the Town and Country Planning (General Permitted Development) (England) Order 2015, dated 1 August 2020 (hereon the GPDO). This appeal has considered the same version.
3. Under Article 3(1) and Schedule 2, Part 3, Class Q, of the 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 Council in its role as local planning authority (LPA) may refuse the application where it considers that the proposed development does not comply with, or that the developer has provided insufficient information to enable the LPA to establish whether the proposed development complies with the conditions, limitations or restrictions set out in paragraphs Q.1 and Q.2.
5. Finally, if the proposal complies with all the restrictions set out in paragraphs Q.1 and Q.2, then planning permission is granted, subject to Regulations 75 to 78 of the Conservation of Habitats and Species Regulations 2017 (the Habitat Regulations).

Background and Main Issues

6. The appeal sites constitute a range of 3 barns. The existing Dutch pole barn (Barn A) would be demolished whilst the steel-framed building (Barn B) and the steel

¹ set out within the Town and Country Planning General Permitted Development) (England) (Amendment) Order 2024/279

portal-framed cowshed (Barn C) would be converted into 2 separate residential dwellings.

7. Barn B would require new insulated roof coverings, multiple windows, roof lights and doors, as well as internally a second floor. Whilst Barn C would require the existing open elevation to be enclosed, new insulated roof coverings, and multiple windows and doors, with two recessed areas creating covered outdoor spaces.
8. These alterations would constitute building operations but would not require the extension of either building. As such the proposal would be considered under Schedule 2, Part 3, Class Q(b), of the GPDO.
9. The main issues are whether the proposed development would constitute permitted development in respect to paragraph Q.1; and if the proposal is found to constitute permitted development, whether prior approval would be required in accordance with paragraph Q.2 and if the proposal would comply with the Habitat Regulations.

Reasons

Paragraph Q.1

10. From review of the submitted information I am satisfied that in respect to paragraph Q.1 the only issue is in relation to criteria Q.1(i). This refers to the level of building operations that would be acceptable. However, as identified by the appellant these operations should be within the parameters that the building must be capable of functioning as a dwelling without significant structural modifications.
11. Barn B is described by the appellant as a typical 1950s steel framed agricultural building with concrete blockwork to eaves level, corrugated sheeting panels to the eaves and a dual pitch asbestos fibre cement panel roof. However, the appellant's Structural Report (SR) clearly states that extensive steel corrosion is suspected of the 4 northwest stanchions of the steel frame, which are wrapped by the blockwork and support the roof. It goes further to state that these stanchions must be fully exposed and assessed to calculate their reserved capacity against the new loads of the proposed roof; with repair potentially requiring complete replacement of the columns in question. This assessment aligns with observations on site which showed substantial cracks in the brickwork as well as holes in the roof.
12. That integral parts of the structure of Barn B may need to be completely replaced, would constitute a partial rebuild of the building and so on the evidence provided it can only be concluded that this level of works would be beyond the building operations allowed by criteria Q.1(i).
13. Turning to Barn C, the appellant describes this as a typical 1970's cowshed with concrete blockwork wall on 3 sides up to 2.5m in height, with timber cladding above, and a dual pitch roof made of cement panels. The SR confirms the structural frame to be free from any significant defects but also notes that its stability is reliant on the blockwork wall and that any disruption to the continuity of that wall would affect the ability of Barn C to resist force.
14. As the proposal for Barn C would require a large number of holes to be punched into the block work wall, as well as sections of it removed entirely, it would be necessary to ensure the integrity of the building's structure before it could be concluded that the building operations proposed would not require significant

structural modifications. Without such information it cannot be concluded that the proposal would comply with criteria Q.1 (i).

15. Therefore, from the evidence provided and on-site observations, I am unable to conclude that the proposal would comply with the limitations of criteria Q.1(i). As such, the proposal would not constitute permitted development as allowed by Schedule 2, Part 3, Class Q(b), of the GPDO.
16. As considerations in relation to prior approval are a follow-on condition stage under paragraph Q.2, they can therefore only apply if the development is otherwise permitted development. As the proposal would fail to constitute permitted development, there is no need to consider whether prior approval is required or whether the proposal would comply with the Habitat Regulations.

Other Matters

17. It is recognised the proposal could provide 2 new dwellings in an area where the Council does not have a 5-year housing land supply. However, this does not alter the failure of the proposal to comply with the relevant paragraphs of the GPDO.

Conclusion

18. For the reasons given above the appeal should be dismissed.

RJ Redford

INSPECTOR