



Appeal Decision

Site visit made on 22 October 2025

by **E Pickernell BSc MSC MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 05 November 2025

Appeal Ref: APP/Y3940/W/25/3368733

Holbrook Dairy Farm, Berryfield Lane, Melksham, Wiltshire SN12 6EH

- 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 Komosa against the decision of Wiltshire Council.
 - The application Ref is PL/2025/04399.
 - The development proposed is proposed agricultural barn conversion to single dwelling.
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Decision

1. The appeal is allowed and prior approval is granted under the provisions of Article 3(1) and Schedule 2, Part 3, Class Q (a) and (c) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO) for agricultural Barn Conversion to Single Dwelling at Holbrook Dairy Farm, Berryfield Lane, Melksham, Wiltshire SN12 6EH in accordance with the application PL/2025/04399 and the details submitted with it including drawing number AH2025/18. The approval is subject to the condition that the development must be completed within a period of 3 years from the date of this decision in accordance with Paragraph Q.2(3) of the GPDO and the provisions specified in paragraph W.

Application for costs

2. An application for costs was made by Mr Komosa against Wiltshire Council. This is the subject of a separate decision.

Preliminary Matters

3. The Town and Country Planning (General Permitted Development) England (Amendment) Order 2024 came into force on 21 May 2024. Transitional arrangements set out in Article 10 of the amending Order applied to applications submitted until the end of 20 May 2025. The application was submitted on 13 May 2025 and was eligible for the transitional arrangements, however the application form confirmed that the appellant wished for the application to be determined based on the amended version of the Order. I have determined the appeal on this basis. As the proposal entails a change of use and building works, but no extension, Class Q (a) and (c) apply.

Main Issue

4. It is common ground that the appeal scheme meets the requirement of Q1 of the GPDO such that it would constitute development permitted under Class Q, subject to the prior approval of certain matters. For permitted development under Class Q(a), together with development under Class Q(c), prior approval is required in

respect of a number of matters, including (b) noise impacts of the development and (e) whether the location or siting of the development makes it impractical or undesirable for the building to change from an agricultural use to a dwelling.

5. The main issue is whether the location and siting of the building makes it undesirable for it to change to a dwellinghouse, in terms of the living conditions of future occupiers with particular regard to noise and odour.

Reasons

6. The GPDO does not define the term 'undesirable', however Planning Practice Guidance (PPG) states that a reasonable ordinary dictionary meaning should be applied in making any judgement. Such a proposal would be undesirable if it would be harmful or objectionable. Examples given in PPG are where a building is adjacent to other uses such as intensive poultry farming buildings, silage storage or buildings with dangerous machines or chemicals making its conversion undesirable.
7. The appeal building is located amongst a group of buildings which are arranged around a central yard. It comprises part of a linear building, the remainder of which is used as a workshop. To the north of this building is an existing dwelling and residential garage. Agricultural machinery stores exist to the south and east of the appeal building and further to the south are a livestock shed and hay store.
8. The farm workshop to the north of the appeal building is attached and as such would be in very close proximity to the proposed dwelling. However, it is modest in scale and therefore houses a limited amount of farm equipment and machinery. Activities which take place in the workshop would have the potential to be noisy, however due to its limited size, and the relatively small scale of the agricultural enterprise, such activities are unlikely to be extensive or regular.
9. The agricultural machinery store to the south of the appeal building could potentially house noisy farm machinery such as tractors for a short while as they get ready to enter the adjacent fields, however, the building is enclosed and is separated from the appeal building. Furthermore, because of the positioning of the main opening on the east elevation, vehicles accessing the building would not utilise the area of hardstanding immediately in front of the appeal building. As such there would be a generous degree of separation between the activities associated with this building and the proposed dwelling.
10. The livestock shed and hay barn are located towards the south of the farm complex, a generous distance from the appeal building. Due to the layout of the yard, vehicles accessing this part of the site would not be manoeuvring in close proximity to the appeal building. Whilst noise associated with the use of these buildings may be discernible from the appeal site it would not be at close quarters and would not result in a harmful level of noise for future occupiers.
11. A minor degree of odour and noise associated with agricultural practices is to be expected in rural locations, although at my site visit, I noticed very little discernible odour or noise, even near to the livestock shed. However, I appreciate that this was a snap-shot in time and that this would fluctuate during the day and year. I note that

the appellants Noise Assessment¹ also found that low levels of noise occur at the site.

12. I acknowledge that farming practices and the use of buildings at the site could change over time. Nevertheless, due to the relatively small scale of the farm, I am satisfied that even if this did occur, the use would not be so intensive as to result in such significantly harmful living conditions for the conversion of the building to be considered undesirable.
13. In respect of the prior approval matter (b) noise impacts of the development, it has not been demonstrated that the proposed use of the building as a dwelling would result in any noise impacts upon any receptor.
14. I therefore conclude that the location and siting of the building do not make it undesirable for it to change to a dwellinghouse, in terms of the living conditions of future occupiers with particular regard to noise and odour.

Other Matters

15. The Council have referred me to two appeal decisions which they consider share some similarities with the appeal scheme. Based on the information before me the building which was the subject of the appeal at Le Raccard, Faulkners Lane² appears to have a lesser degree of separation from the majority of the agricultural activities taking place elsewhere on the site than would be the case with the appeal scheme. The Inspector determining the appeal at Coombs Cottage³ concluded that the proposal was not permitted development and did not go on to consider the prior approval matters. As such these appeals are materially different to the scheme before me.

Conditions

16. Any prior approval granted under Schedule 2, Part 3, Class Q of the GPDO is subject to the condition under Q.2 (3) which specifies that the development shall be completed within a period of 3 years, as well as the provisions of paragraph W., including paragraph W (12) which requires development to be carried out in accordance with the details submitted.
17. The Council have suggested two conditions in respect of noise and odour mitigation. However, given my conclusions above in respect of these matters, I do not consider such conditions to be necessary.

Conclusion

18. For the reasons given, I conclude that the appeal is allowed, and prior approval is granted.

E Pickernell

INSPECTOR

¹ DKN Acoustics (July 2025)

² APP/J2210/W/24/3356062

³ APP/L1765/W/24/3351555