



Appeal Decision

Site visit made on 23 September 2025

by **L Fern BA(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 6 November 2025

Appeal Ref: APP/Y2620/W/25/3367996

Barn off Clip Street, Field Dailing Road, Bale, Norfolk NR21 0QT

- 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 Ben Carter against the decision of North Norfolk District Council.
 - The application Ref is PU/25/0893.
 - The development proposed is change of use of agricultural building to 1 dwellinghouse (Class C3) and building operations reasonably necessary for the conversion.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant's final comments introduced new evidence in the form of planning appeal decisions and case law. I had sight of the appellant's commentary on these cases and therefore in the interests of fairness I afforded the Council the opportunity to comment. I am therefore content that no party has been prejudiced.

Background and Main Issues

3. Article 3(1) and Class Q of Part 3, Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO) permits the change of use of a building that is part of an established agricultural unit and any land within that building's curtilage to a use falling within Class C3 (dwellinghouses)¹, together with building operations reasonably necessary to convert the building, subject to limitations and conditions. It is disputed whether paragraphs Q.1.(g) and Q.1.(j)(ii) of Class Q would be complied with.
4. The main issues are therefore:
 - Whether or not the proposed demolition would be reasonably necessary for the conversion of the building (paragraph Q.1.(j)(ii)); and
 - Whether or not the proposal would begin within ten years of other development under Classes A(a) or B(a) of Part 6, Schedule 2 of the GPDO being carried out (paragraph Q.1.(g)).

¹ As defined by The Town and Country Planning (Use Classes) Order 1987 (as amended).

Reasons

Demolition

5. The agricultural storage building is of sound steel framed construction, with complete walls and roof. Major demolition of approximately a third of the building is proposed to ensure conformity with the floorspace limitations of a single dwelling as set out at paragraph Q.1.(c) of Class Q. The operations would also include the repositioning of an external wall following the demolition works.
6. The proposal before me is for the conversion of the building to a single dwelling and I acknowledge that there are no requirements within Class Q to maximise the number of dwellings.
7. However, building operations reasonably necessary to convert the building, as allowed by Class Q.(c), are limited by paragraph Q.1.(j) to include the installation or replacement of windows, doors, roofs, or exterior walls, and partial demolition reasonably necessary to carry out those building operations.
8. In this case, the partial demolition is intended to remove a considerable amount of floorspace, to ensure compliance with the floorspace limitation for a dwelling as set out at paragraph Q.1.(c), of an otherwise substantial and sound structure. The demolition is not simply to allow the installation or replacement of an exterior wall for example. Having considered the *Hibbitt case*², the considerable demolition and moving of an entire external wall would amount to a rebuild, which goes beyond the scope of Class Q.
9. The appellant has referred to two appeal decisions³ in relation to the matter of demolition and reasonably necessary building operations. However, despite being provided with the opportunity, copies of the decisions are not before me, and I am therefore unable to establish whether relevant comparisons can be drawn with the current appeal.
10. The demolition element of the proposal would therefore not be reasonably necessary to convert the building under Class Q. or compliant with paragraph Q.1.(j)(ii) of Class Q.

Ten-year period and permitted development

11. Prior notification for the erection of the agricultural storage building was submitted to the Council⁴ and a decision issued on 29 June 2015 confirming that permission was not required. There is no substantive evidence before me to suggest that this is not the agricultural storage building that is subject to this appeal. However, it is not clear when development of the building began.
12. Regardless, paragraph Q.1.(g) of Class Q does not require the 10-year period to have expired prior to the determination of the prior approval application but instead prior to the date the development under Class Q begins. Given that there are provisions in place within Class Q to restrict development within the 10-year period, even following the grant of a prior approval proposal, I am content that I do not need to be satisfied that this limitation has already been met.

² *Hibbitt and Another v Secretary of State and Rushcliffe Borough Council* [2016] EWHC 2853 (Admin)

³ PINS Refs APP/G2435/W/20/3254957 and APP/U1105/W/21/3271048.

⁴ Council Ref NP/15/0785.

13. Thus, I am satisfied that this limitation could be met later than the date of my appeal decision, if necessary, and the proposal could therefore be capable of complying with paragraph Q.1.(g) of Class Q.

Other Matters

14. The GPDO does not afford the decision maker flexibility to stray away from the prescriptive limitations and conditions, or the ability to use planning balance when considering proposals for prior approval, regardless of whether the appellant considers there to be an absence of harm.

Conclusion

15. For the reasons given above, I conclude that the appeal should be dismissed.

L Fern

INSPECTOR