



Appeal Decision

Site visit made on 11 November 2025

by Paul Martinson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th December 2025

Appeal Ref: APP/U2750/W/25/3372890

Saxton Grange, Towton, Tadcaster LS24 9PE

- 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 C.A. Chapman & Sons against the decision of North Yorkshire Council.
 - The application Ref is ZG2025/0501/ATD.
 - The development proposed is described as: 'Conversion of agricultural building to two dwellings'.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO) at Schedule 2, Part 3, Class Q(c) permits a change of use of a building and its curtilage to a use falling within Class C3 (dwellinghouses) together with building operations reasonably necessary to convert the building to that use.
3. Q1(j) limits the building operations proposed to the installation or replacement of windows, doors, roofs or exterior walls to the extent reasonably necessary to carry out those operations. The Council contends that the proposal would not comply with this limitation and therefore would not benefit from the provisions of Class Q(c) of the GPDO as the building operations proposed would go beyond what could reasonably be considered a conversion.
4. The Council's decision notice references Class Q(b) which relates to extensions as part of the building operations. However, it is common ground between the parties that this does not apply as no extensions are proposed. My decision is on this basis.

Main Issue

5. The main issue is whether the proposal would be permitted development under Schedule 2, Part 3, Class Q of the GPDO, with particular regard to the provisions and limitations of paragraphs Q(c) and Q1(j).

Reasons

6. The appeal site is a working farm located in the open countryside and accessed from the A162. The appeal buildings form a group of connected structures located to the south of the access road. These are modern steel framed agricultural

buildings comprising of shallow, sheeted roofs, and predominantly blockwork and vertically boarded, spaced, timber to the walls.

7. It is proposed to convert the eastern most (Unit A) and western most (Unit C) elements of the group with the larger central building (Unit B) that links the two being removed.
8. Class Q(c) and Q1(j) allow building operations to take place that enable conversion of an agricultural building to a dwelling. The Planning Practice Guidance¹ (PPG) offers guidance in this respect and confirms 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'*. This paragraph also refers to the *Hibbitt*² judgement which both parties have referenced, and which confirms that if a development does not amount to conversion, then the provisions of Class Q do not apply.
9. The appellant has provided a 'Structural Inspection Report' (SIR) for both buildings. Each concludes that the building is in a reasonable structural condition and conversion to residential use will present few technical problems. This is not a detailed assessment and primarily highlights areas where work may be needed rather than providing any detail as to the extent of the works that are required to the structure to implement the development shown on the plans. For example, it states: *'visible finishes will need maintenance and replacement to ensure an acceptable standard of weatherproofing is required'*. It also refers to development works including new foundations *'for any walls considered to be defective'* without identifying which walls this would relate to. Reference is also made to *'reinstatement and renovation of areas of defective wall and roof cladding'*, *'installation, replacement or repair of any damaged ground concrete slab'* and *'an extent of timber member replacement'*. None of these vague descriptions of potential building operations detail the precise extent that are required or that are proposed as part of the appeal scheme.
10. As such, it is unclear to me which, foundations, floors, walls, or elements of the roof would require replacement. Indeed, to my mind it would appear that complete replacement of all exterior finishes, replacement of all foundations to all walls, replacement of all roof cladding, and replacement of all floors as well as the majority of timber members would fall under the description of operations forming the recommendations in the SIR. This would be in addition to the proposed walling of the north elevation of Unit A which is completely open at present, as well as the provision of substantial areas of glazing in place of existing walls across both Units.
11. Nonetheless, the appeal is also supported by a Construction Method Statement (CMS). It states that this is based on the conclusions of the SIR, which I have broadly outlined above, and consequently this leads me to doubt its accuracy. The CMS does not offer a more precise description of building operations proposed and includes vague statements the relevance of which is unclear such as: *'Ensuring a high standard of weatherproofing will be paramount throughout the conversion'*. It also states that detailed surveys of the various structures would be

¹ Reference ID: 13-105-20180615.

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

carried out at a later date, but this does not aid me in assessing the extent of the operations proposed.

12. Neither the SIR or the CMS assess the effect of the demolition of Unit B on the integrity of the structures of Unit A and C. It is therefore unclear if the buildings would continue to be in a reasonable structural condition once Unit B has been removed.
13. Based on the evidence before me, it is not clear to me that the existing buildings are already suitable for conversion to residential use, as set out in the PPG. I therefore cannot conclude that the buildings could be converted as proposed without resulting in significant building works that would result in substantial rebuilding of the Unit A and Unit C.
14. Schedule 2, Part 3, Paragraph W(3) of the GPDO sets out that the decision maker may refuse a prior approval application where the proposed development does not comply with, or the developer has provided insufficient information to enable the authority to establish whether the proposed development complies with, any conditions, limitations or restrictions specified as being applicable to the development in question.
15. For the reasons set out above I have not been provided with sufficient information to enable me to establish that the proposed development would comply with the provisions and limitations of paragraphs Q(c) and Q1(j) of the GPDO.

Conclusion

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

Paul Martinson

INSPECTOR