



Appeal Decision

Site visit made on 18 November 2025

by R Sabu BA(Hons), MA, BArch, PgDip, RIBA, ARB

an Inspector appointed by the Secretary of State

Decision date: 10 December 2025

Appeal Ref: APP/F2605/W/25/3372842

Town Farm, Kenninghall Road, North Lopham, IP22 2NL

- 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) (GPDO).
The appeal is made by TW Gazes Kenninghall Town Lands Charity against the decision of Breckland Council.
 - The application Ref is PL/2025/0629/PAQ.
 - The development proposed is conversion of agricultural building to 1 new dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used the description of development from the application form omitting wording that are not acts of development, in the interests of certainty.
3. Class Q of Part 3 of Schedule 2 of the GPDO 2015 was amended on 21 May 2024. Given the transitional arrangements set out under Article 10 of the amending Order, and as the application was submitted to the council prior to 21 May 2025, I have considered Class Q as it was before 21 May 2024 in my assessment.

Main Issues

4. The main issues are:
 - whether the proposed development would be granted planning permission by Article 3, Schedule 2, Part 3, Class Q of the GPDO; and
 - the effect of the proposed development on habitats sites.

Reasons

GPDO

5. Class Q permits (a) a change of use of a building and any land within its curtilage from a use as an agricultural building to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order; or (b) development referred to in paragraph (a) together with] building operations reasonably necessary to convert the building referred to in paragraph (a) to a use falling within Class C3 (dwellinghouses) of that Schedule.

6. Q.1(i) (i) (aa) states that development is not permitted by Class Q if the development under Class Q(b) would consist of building operations other than the installation or replacement of windows, doors, roofs, or exterior walls to the extent reasonably necessary for the building to function as a dwellinghouse.
7. The proposal includes the retention of the concrete floor slab, the blockwork walls, steel frame and roof structure. The wall cladding on the upper level of the walls is proposed to be replaced.
8. The roof sheeting is also proposed to be retained. The evidence including Structural Appraisal and letter from Weybreads Ltd indicates that the portal frame and roof sheeting are structurally sound. However, the Structural Appraisal recommends that a sample of the roof sheeting is tested for asbestos and a method statement detailing risk mitigation should be provided. Details of any such testing of the roof sheeting or mitigation have not been provided. Therefore, it is possible that the entirety of the roof sheeting may need to be replaced.
9. The Planning Practice Guidance states that permitted building operations reasonably necessary to convert the building may include the installation of or replacement of various elements including roofs. However, it goes on to say that it is not the intention of the permitted development right to allow rebuilding work which would go beyond what is reasonably necessary for the conversion of the building to residential use. Therefore, 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.
10. The Structural Appraisal states that the rigid roof sheeting gives the structure stability against longitudinal wind racking forces, resolving loads back to the eaves wall lines. Therefore, the roof sheeting provides a substantial contribution towards the structural stability of the building. As the upper walls are proposed to be replaced, in my view, if the entirety of the roof also needs to be replaced, together with the other building operations that would be required, the building operations would go beyond what is reasonably necessary for the conversion of the building to a residential use and would amount to rebuilding.
11. Consequently, the proposed development would not be granted planning permission by Article 3, Schedule 2, Part 3, Class Q of the GPDO.

Habitats sites

12. The site lies within the Zone of Influence (Zol) of a number of habitats sites. New housing development within the Zol would be likely to increase the number of recreational visitors to the habitats sites, potentially resulting in disturbance to the integrity of the habitats of qualifying features. In combination with other developments, it is likely that the proposal would have significant effects on the designated sites.
13. The Norfolk Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy sets out financial contributions per dwelling that would be required for proposals within the Zol of designated habitats and the mitigation measures that would be funded.
14. A signed and dated Unilateral Undertaking(UU) has been submitted with the appeal which seeks to secure the financial contributions set out in the GIRAMS. However,

the UU is not complete as it does not include a drawing with the site outlined in red, as referred to in the UU text. Accordingly, I cannot attribute it any weight. LP Policy ENV02 seeks, among other things, that the highest level of protection will be given to European Sites.

15. As I am dismissing the appeal for other reasons, I have not carried out an appropriate assessment to consider whether there would be harm to the integrity of the habitats sites. On the basis that I would have given the appellant the opportunity to submit a completed planning obligation that may have overcome any harm to integrity had I been otherwise minded to allow the appeal, this matter has not been determinative for the outcome of the appeal.

Other Matters

16. I note the wider planning benefits of the proposal put forward by the appellant. However, I have necessarily assessed the scheme against the GPDO and these matters have not altered my overall decision.

Conclusion

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

R Sabu

INSPECTOR