



Appeal Decision

Site visit made on 7 January 2026

by A Knight BA PG Dip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th January 2026

Appeal Ref: APP/C1435/W/25/3375177

Catts Crouch Farm, Possingworth Lane, Waldron, East Sussex TN21 0RD

- 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 Michael Blacklee against the decision of Wealden District Council.
 - The application Ref is WD/2025/1228/PO4.
 - The development proposed is conversion of agricultural barn to dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used the description of proposed development from the decision notice in the banner heading above, as the version on the application form includes wording that is not a description of development.
3. The appeal relates to an agricultural building (the barn). As such, Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO) is pertinent. Class Q was amended significantly on 21 May 2024. As set out in the transitional arrangements, prior approval applications could still be made in respect of the previous version of Class Q until 20 May 2025. The appeal before me results from such an application.
4. The previous, and in this instance operative, version of Class Q of the GPDO permits development consisting of a 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.
5. Planning Policy Guidance (PPG) states that Class Q should be read with the assumption that the agricultural building in question is capable of functioning as a dwelling, and that the GPDO does not seek to allow rebuilding work beyond that reasonably necessary for the conversion of the building to residential use. Indeed, the PPG is explicit 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” and directs the reader to the *Hibbitt*¹ case regarding the difference between conversions and rebuilding.

¹ Hibbitt v SSHCLG [2016] EWHC 2853 (Admin)

6. The main parties are familiar with *Hibbitt* and so I need not rehearse the judgement here, other than to say that whilst Class Q permits building operations reasonably necessary to convert an agricultural building to a dwellinghouse, a “conversion” is distinct from, and Class Q does not permit, a “rebuild” or a “fresh build”.
7. In its reason for refusal the Council states that the scheme would not comply with the requirements of Class Q.1(i) as it would require building operations which would exceed those reasonably necessary for the conversion of the building.
8. *Hibbitt* is clear, however, that the concept of “conversion” is found in the overarching provisions of Class Q, not in Q.1, and that if a development does not amount to a “conversion” then it fails at the first hurdle and there is no need to delve into the exceptions in Q.1.

Main Issue

9. Given the above, the main issue is whether the proposed building operations fall within the scope of a conversion, and if so, whether the proposal would be permitted development under Schedule 2, Part 3, Class Q of the GPDO.

Reasons

10. Broadly speaking, the barn is made using a mix of concrete and steel frames, supported at the base of each upright by pad foundations. Simple sheeting is attached to the frame to form an asymmetrical dual-pitched roof. Save for the upper sections of two gable ends, the elevations of the barn are open.
11. The appeal scheme involves the creation of a dwelling that would utilise, and be dependent upon, the framework of the barn. In simple terms, hangers would be added to the uprights and connected by joists. From these would be made a suspended base upon which construction would occur.
12. Whether the frame of the barn could support the works described above is questioned by the Council. Whilst not determinative, that may nevertheless be a consideration in whether the barn is capable of functioning as a dwelling.
13. I recognise that detailed calculations have not been provided but see no reason, given the structural appraisal supplied by the appellant, to doubt that the principle is sound. Furthermore, the proposal is based explicitly on the described approach. If it were later found that a materially different approach was in fact required, then it is unlikely the appellant could rely on any permission arising from this appeal.
14. Given the above, I proceed on the basis that the existing barn is capable of hosting the proposed works. That does not mean, however, that the scheme necessarily amounts to a conversion. Indeed, the barn considered in *Hibbitt* was capable of carrying the weight of the works proposed in that case, but they nevertheless amounted to more than a conversion.
15. The appellant disputes the Council’s description of the barn as “open” and informs me that 63% of its external envelope is covered. Whilst I have no reason to doubt that figure, the barn is plainly open-sided, and new walls with appropriate openings would be needed for it to function as a dwelling. The PPG is clear that internal works are not generally development, and that internal structural works, including to allow for a floor or internal walls, are not prohibited by Class Q. Insofar as my

determination is concerned, the new external walls are therefore the principal significant element of the scheme.

16. Development is not permitted by Class Q if, as at Q.1(i), it would consist of building operations other than the installation or replacement of windows, doors, roofs, or exterior walls. That does not necessarily mean, however, that a scheme effectively comprised of such works must be considered a conversion; As I have set out above, *Hibbitt* is clear that if a proposed development does not amount to a conversion then it fails at the first hurdle and there is no need to delve into the exceptions in Q.1. That the new walls may be accommodated within the list of works at Q.1(i) therefore carries little weight.
17. Whilst it is recognised in *Hibbitt* that even extensive works to an agricultural building may be permitted by Class Q, it is also recognised that the extent of any works proposed may be a factor in assessing whether a scheme comprises a conversion, a rebuild, or a fresh build.
18. Other than where encompassing the frame uprights, the walls would result in over 70 linear metres of continuous new development, split into two walls over 19m long and two some 17m long. They would form what Class Q defines as a “larger dwellinghouse” which, even across a single storey, would have four bedrooms and generous living areas. None of these features are determinative, but taken both individually and together they indicate that the nature of the works would be extensive.
19. Moreover, the walls would be placed where there are currently none, and where I have no reason to believe any have been before. The barn, which is open on all four sides, would become enclosed for the first time. That would be a substantial change to the nature of the building resulting from what, given the above, I see little reason to describe as anything other than a fresh build. In the absence of that fresh build, the barn is not capable of functioning as a dwelling. All of these factors firmly direct me to the conclusion that the proposed building operations are more than those reasonably necessary to convert the barn.
20. Considering further the appellant’s case; I recognise that the structural appraisal found the barn to be appropriate in terms of size, type, and construction to support the proposed works; I have explained above that I do not doubt this is so. Those comments, however, are made in the context of the barn’s structural capacity. As set out in *Hibbitt*, the concept of “conversion” must be understood in its specific planning context. I have set out my findings in those terms.
21. I do not doubt that the proposed works are not structural, or that they are reasonably necessary for the barn to operate as a dwelling. As I have set out however, the issue is whether the works are reasonably necessary to convert the barn, or whether they instead amount to a rebuild or a fresh build.
22. Three previous appeals² have been provided. However, in all three instances the agricultural buildings in question were distinct from the appeal site barn in that they had external walls, albeit to varying degrees, which would be retained. As a result, the fundamental nature of those schemes was different, and I attach minimal weight to the cited previous decisions.

² Appeal Refs APP/N4720/W/19/3219850; APP/Y1138/W/22/3299860; APP/L3625/W/21/3267322.

23. The appellant contends that no agricultural building considered under Class Q will have adequate external walls for residential use. Even if I accept that this is so, and also recognise that the act of conversion may often involve alterations to the walls of an agricultural building, I do not see that the point weighs in favour of the appeal. In my observations on the previous appeals above, I have drawn a distinction between cases where internal works behind, and alterations to, existing walls are required, and cases where an agricultural building has no walls. I have not presumed that the walls of those other buildings were already adequate for residential use.
24. Overall, I find that the proposed building operations fall outside the scope of a conversion and, as such, are not permitted development under Schedule 2, Part 3, Class Q of the GPDO.

Conclusion

25. For the reasons given above the appeal is dismissed.

A Knight

INSPECTOR