



Appeal Decision

Site visit made on 2 February 2026

by **O Marigold BSc DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 11 February 2026

Appeal Ref: APP/E3335/W/25/3374189

Land OS 2900 and 2478 Part, Combe Lane, Keinton Mandeville, Somerton, Somerset TA11 7AY

- 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 and Mrs Roy Attwell against the decision of Somerset Council.
 - The application Ref is 25/00723/PAMB.
 - The development proposed is the conversion of existing barns to form No. 2 dwellings.
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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 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for conversion of existing barns to form No. 2 dwellings at Land OS 2900 and 2478 Part, Combe Lane, Keinton Mandeville, Somerton, Somerset TA11 7AY in accordance with the application 25/00723/PAMB, and the details submitted with it, including plans AK_223_01, AK_223_02 and AK_223_03, and subject to the following conditions:

(1) The development hereby permitted shall not be occupied until details of the proposed parking and turning spaces for the dwellings have been submitted to and approved, in writing, by the Local Planning Authority, and the spaces have been provided and constructed in a properly consolidated surface. Such parking and turning spaces shall be always kept clear of obstruction and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

(2) Prior to the first occupation of the dwellings hereby permitted, one 16amp electric charging point for electric vehicles shall be provided for each parking space. Once installed, the electric charging points shall be retained and maintained in working order.

Background and Main Issue

2. Class Q of the General Permitted Development Order (GPDO) permits development consisting of a change of use of a building and any land within its curtilage from an agricultural building to a dwelling or dwellinghouses, and any building operations reasonably necessary to convert the building. The proposal is for both a change of use and the building operations involved.
3. The Council contends that it has not been demonstrated that the works involved would not go beyond a conversion, and would thus fall outside of the scope of the GPDO. The main issue is therefore whether the proposal complies with the

description of permitted development under Schedule 2, Part 3, Class Q of the GPDO, with regard to the building operations necessary to convert the building to residential use.

Reasons

4. The appeal buildings consist of a front barn of traditional masonry, and a larger rear barn of steel portal frame construction, both beneath double-pitched roofs and having concrete floors. The GPDO permits the conversion of such buildings, including where they would involve building operations. These can include the installation or replacement of windows, doors, roofs, exterior walls, and services, to the extent reasonably necessary for the buildings to function as dwellinghouses.
5. The High Court decision of *Hibbitt*¹ clarifies the extent of these rights. This includes that the buildings must be capable of conversion to residential use, without the operations amounting to the complete or substantial re-building of the structure, or effectively resulting in a new building. The Planning Practice Guidance² (PPG) makes clear that the GPDO does not intend to allow re-building work beyond that necessary for conversion. Only where the existing buildings are already suitable for conversion to residential use would they have the permitted development right.
6. The proposal includes works to the central element of the buildings, which is predominantly open sided. It would involve the creation of new external walling to create enclosed garden spaces, and cut-outs within the roof. The somewhat dilapidated barns would also require repairs and replacements, such as to the profile steel sheet roof, and to some of the cladding. It is the cumulative effect of these works which are the focus of the Council's concerns.
7. Even so, much of the existing buildings would be retained. The steel frames and blockwork walls are described in the Structural Report as being in reasonable condition, with no repairs considered to be necessary. They would be retained, and the proposal does not involve the demolition of structural components. Consequently, even with the changes referred to by the Council, on the evidence before me, the buildings would be capable of conversion without substantial re-building, or works exceeding what would be reasonably necessary.
8. As such, the proposal meets the requirements of the PPG. On this basis, it would comply with the description of permitted development under Schedule 2, Part 3, Class Q of the GPDO, with regard to the building operations necessary for residential use.

Conditions

9. The Council has provided a list of conditions, which I have assessed and where necessary amended, having regard to the advice in the PPG. A condition requiring details of parking and turning is necessary in the interests of highway safety. Details of electric charging points are needed to encourage a reduction in carbon emissions.
10. The permission granted under the relevant part of the GPDO is subject to condition Q.2(4). This states that development shall be completed within three years. As such, there is no need for a further condition regarding commencement.

¹ Hibbitt and another v SSCLG and Rushcliffe Borough Council [2016] EWHC 2853 (Admin)

² Paragraph 105 Reference ID 13-105-20180615

Similarly, paragraph W(12) of GPDO Schedule 2, Part 3 requires development to be carried out in accordance with the details submitted (unless otherwise agreed), and I have listed the approved plans above.

11. The Council has suggested a condition relating to means of enclosure. However, the size of the curtilage is already limited by GPDO paragraph Q3(1). In that context, I have little reason to believe that future boundary treatments would be particularly harmful to visual amenity. Accordingly, I conclude that such a condition would not be necessary.

Conclusion

12. For the reasons given, I conclude that the appeal should be allowed, and prior approval granted.

O Marigold

INSPECTOR