



Appeal Decision

Site visit made on 28 January 2026

by **H Smith BSc (Hons) MSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17 February 2026.

Appeal Ref: APP/V3120/W/25/3372734

Barn at Poughley Farm, Halls Lane, East Hanney, Wantage OX12 0HJ

- 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 Paul Curtis (Mark Doodles Planning) against the decision of Vale of White Horse District Council.
 - The application Ref is P25/V1076/N4B.
 - The development proposed is conversion of an agricultural barn into a self-build C3 dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. On 21 May 2024, Statutory Instrument 2024 No. 579 (SI 2024/579) came into force, amending 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 GPDO). Under the transitional arrangements, prior approval applications may continue to be made under the previous version of Class Q until 21 May 2025. There is no dispute between the main parties that the application was made prior to 21 May 2025, and the Council determined the application under the old Class Q legislation. I shall therefore determine the appeal on the same basis as the Council and all references to the GPDO in this decision therefore relate to the version that was in force at the time when the application was made.
3. 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) of the Schedule to the Use Class Order¹ and any building operations reasonably necessary to convert the building. This is subject to various limitations and conditions as set out in paragraphs Q.1 and Q.2 of that Class.
4. The appeal site has been the subject of a previous appeal decision² to convert the building to residential use. The current appeal differs from the previous appeal in that it relates to a prior approval application under Schedule 2, Part 3, Class Q of the GPDO. In any event, I have dealt with this appeal on its own merits, based on the evidence before me and my observations on site.

¹ Town and Country Planning (Use Classes) Order 1987 (as amended).

² APP/V3120/W/24/3355383.

Main Issues

5. The main issues are:

- whether the proposed development would be permitted development under Schedule 2, Part 3, Class Q of the GPDO; and
- if so, whether the extent of the required building operations would be reasonably necessary to carry out the conversion of the building.

Reasons

6. Paragraph Q.1(a) of the GPDO (pre-2024 version) provided that development was not permitted if “the site was not used solely for an agricultural use as part of an established agricultural unit (i) on 20 March 2013, or (ii) in the case of a building which was in use before that date but was not in use on that date, when it was last in agricultural use, or (iii) in the case of a site which was brought into agricultural use after 20 March 2013, for a period of at least 10 years before the date development under Class Q begins.” Planning Practice Guidance³ states that a site must have been used solely for an agricultural use, as part of an established agricultural unit, on 20 March 2013 or, if it was not in use on that date, when it was last in agricultural use. If the site was brought into agricultural use after 20 March 2013, it must have been used solely for that purpose, as part of an established agricultural unit, for 10 years before the development begins.
7. ‘Agriculture’ as defined in Section 336, paragraph (1) of the Town and Country Planning Act 1990 (as amended), includes horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock, the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to agricultural purposes.
8. The ‘use of land as grazing land’ as an agricultural use may include the use of land for grazing horses. However, ‘the breeding and keeping of livestock’ as an agricultural use does not include the keeping of horses where it is for recreational purposes and involves activities beyond putting horses out to graze.
9. Paragraph X of the GPDO further sets out for the purposes of Part 3, ‘agricultural building’ means a building (excluding a dwelling house) used for agriculture and which is used for the purposes of a trade or business and ‘agricultural use’ refers to such uses.
10. The owner contends that there has been a long-standing history of agricultural trade at the site and states that planning permission (Ref: P03/V1079/AG) was granted in 2003 for the appeal building to be used for the storage of straw. At the time of my site visit, the appeal building was being used to store hay together with some machinery and equipment. It is situated adjacent to existing buildings and paddocks in equestrian use. The Council assert that the appeal building is used to store hay for feeding the horses kept on the site as part of the livery business.
11. The equestrian use of the land may fall within the definition of agriculture if the horses are kept for working purposes, or if they are turned out simply to be fed from the land (i.e. grazing). However, where horses are provided with supplementary feed, or are ridden or exercised, this constitutes the keeping of

³ Paragraph: 106 Reference ID: 13-106-20180615.

horses rather than an agricultural activity. Despite the presence of land capable of grazing, there is no indication that the equine activities at the site are undertaken for agricultural purposes, nor that the horses are kept or managed in a manner that would bring them within the agricultural definition.

12. The appellant states that the wider site operates under a County Parish Holding number. However, this does not, in itself, demonstrate that the land or any of its buildings are used for agricultural purposes, nor does it confirm that the land forms part of an agricultural unit.
13. The appellant claims to have grown a barley crop in a nearby field until the termination of a lease, and also to have bred cattle. However, no substantiated evidence has been provided to indicate the scale of operations, the years or seasons in which they occurred, or any associated detailed records or photographic evidence. I am therefore unable to assess whether these activities were temporary, occasional, or sustained, or whether they had any relationship to the appeal building.
14. The appellant has submitted a small number of sales receipts and invoices, including sales receipts dated April and July 2013, invoices dated October and November 2014, and an invoice for allotment field rent dated September 2016. These receipts and invoices are several years old and, moreover, it is not clear whether they relate specifically to the appeal building or whether they reflect occasional rather than ongoing agricultural activity. They do not provide a coherent or continuous record of agricultural trade or business at the site. Consequently, I have not been provided with substantive documentary evidence demonstrating an agricultural trade or business connected to the site, nor evidence confirming any consistent or meaningful agricultural use of the building.
15. The appellant maintains that the equestrian buildings are separate from the appeal building and the building forms part of a wider site in agricultural use. However, during my site visit, I observed no physical boundary delineating the appeal building from the equestrian areas. In my judgement, the structures were located in close proximity and shared the same access, indicating a functional relationship between them that is inconsistent with the appeal building operating as part of a distinct agricultural unit.
16. Accordingly, based on the evidence before me, I am not satisfied that it has been demonstrated that the appeal building was solely used for an agricultural use as part of an established agricultural unit on the relevant dates. I therefore conclude that the proposal would not be permitted development, in respect of Class Q.1 of the GPDO.

Building Operations

17. The appeal site comprises a detached, rectangular agricultural building with a pitched roof. It consists of three bays with a steel portal frame. The structure is fully enclosed on three sides but has an open frontage. The external walls are predominantly formed from corrugated steel sheeting, and the fully enclosed roof is also constructed from corrugated steel sheeting supported by steel purlins. A single-storey lean-to structure adjoins one side elevation, with a smaller lean-to located at the rear.

18. The Structural Report (dated July 2024) concludes that the building is in good condition and structurally stable with no major structural issues. It suggests that the existing building could, in principle, be converted to a two-storey residential property without altering its height or plan area. However, the Structural Report makes clear that only a visual, non-invasive inspection was undertaken, with no opening-up works carried out. There was also no intrusive ground investigations performed to ascertain the ground conditions or inspect the pad foundations.
19. The proposal would utilise the existing steel portal frame, but the building operations required would include the complete replacement of the external walls and the installation of extensive glazing, including large window and door openings and a balcony feature. These changes would necessitate substantial alterations to the building's outer fabric. The Structural Report confirms that a new strip foundation with rising blockwork and appropriate steel reinforcement would be required around the perimeter of the building. A new ground-bearing slab would also be necessary across the full footprint.
20. Accordingly, the extent of alterations and rebuilding involved in converting the appeal building into a dwelling would be considerable. While some proposed works, such as installing windows and doors, may, in isolation, be reasonably necessary for a conversion, the scale of glazing proposed exceed what could reasonably be described as works necessary to convert the existing structure.
21. Although the appellant states that the roof would be retained, the Structural Report recommends removing and replacing it with a lightweight standing-seam tin roof. It further advises that the roof slopes should be overlaid with structural ply fixed to the purlins to provide additional stability to the overall structure. These recommendations imply that the existing roof cannot be retained in its current form and cast further doubt on the extent to which the original structure can genuinely serve as the basis for residential conversion.
22. Consequently, the extent of additional rebuilding required to support these new materials and to facilitate the conversion remains uncertain. Moreover, as the Structural Report was limited to a visual inspection and did not assess the foundations, it is not possible to determine whether further structural works would be required.
23. In light of the above, I am not satisfied that the appeal building is already suitable for conversion to residential use, and it has not been demonstrated that the proposed conversion could be achieved without extensive works amounting to substantial rebuilding of the existing building.
24. Accordingly, the proposed development does not comply with Part 3, Class Q, Paragraph Q.1 (i) of the GPDO. As such, the proposal does not benefit from permitted development rights under the provisions of the order.

Other Matters

25. Given my findings above in respect of the new building work required to facilitate the residential use of the building, as a matter of fact and degree, I find that the circumstances in the Hibbitt⁴ case are not directly comparable. In any event, I have dealt with this appeal on its own merit.

⁴ Hibbitt v SSCLG [2016] EWHC 2853

26. The appellant refers to various case law, including the relevant tests within *Burdle & Williams v SSE & New Forest DC* [1972] 1 WLR 1207. However, I have not been provided with the full details of these judgments.
27. My attention has also been drawn to three appeal decisions. Nevertheless, I do not have the full details of the circumstances that led to these other decisions and so cannot be sure that they represent a direct parallel to the proposal before me, including in respect of use of the appeal building. In any event, each case must be judged on its own merits, and I have determined this appeal based on the particular circumstances of the appeal site and the evidence before me.
28. The appellant states that the floorspace would exceed the requisite standards within the 2015 Technical housing standards – nationally described space standard. Nevertheless, this does not alter my decision.
29. I note that the description refers to the proposal as self-build. However, I have no evidence before me to suggest that a legal agreement has been drafted to ensure that the development would be brought forward as a genuine self-build scheme.

Conclusion

30. For the reasons given above, I conclude that the appeal is dismissed.

H Smith

INSPECTOR