



Appeal Decision

Site visit made on 9 April 2026

by **B Phillips BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28 April 2026

Appeal Ref: APP/E3335/W/25/3374245

Land At 366658 149692, Mansion House Barn, Stratton Road Holcombe

- 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 Mr & Mrs Barrie and S R Craddock and Curtis against the decision of Somerset Council.
 - The application Ref is 2025/0333/PAA.
 - The development proposed is prior approval for a proposed change of use of an agricultural building to 1no dwellinghouse and associated operational development.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. An amended structural feasibility report has been submitted with the appeal¹. This report suggests an alternative method of new internal foundations, which materially alters, and contradicts the details provided in the originally submitted feasibility report². The appeal process should not be used to evolve scheme, and the proposed amendment is a material alteration to the scheme which has not been the subject of consultation. Therefore, were I to accept them then that may prejudice the interests of interested parties. Consequently, in this regard I have determined the appeal on the basis of the scheme considered by the Council.
3. However, the amended structural feasibility report also includes additional information in relation to core sampling evidence of the existing concrete slab. This does not amount to altered information and does not amend the proposal in any way. Natural justice would not therefore be prejudiced and as such, I have accepted this particular additional information.

Background and Main Issue

4. Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO) was updated on 21 May 2024. Transitional arrangements allow for a prior approval application to be made before the 21st of May 2025. As a result, it is necessary to determine this appeal in accordance with the GPDO as it stood at the time the application was submitted. All references to the GPDO in this decision therefore relate to the version that was in force at that time.

¹ by Lawrence Smith, dated 25.08.2025

² 'Report on the Structural Feasibility of Converting an existing Agricultural Barn into a Dwelling' by Lawrence Smith 17.01.2025

5. Schedule 2, Part 3, Class Q of the GPDO permits development consisting of 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 of the Use Classes Order 1987 (as amended), and the building operations reasonably necessary to convert the building subject to certain limitations and conditions.
6. The main issue therefore is:
 - whether the proposal would be permitted development under Schedule 2, Part 3, Class Q of the GPDO, with particular regard to the building operations reasonably necessary to convert the building to residential use.

Reasons

7. The appeal site comprises of an agricultural building located within a field and is accessed through an unmade track from Stratton Road.
8. Paragraph Q.1(j) of the GPDO lists the building works permitted to facilitate the change of use of an agricultural building to a dwellinghouse. These are the installation or replacement of windows, doors, roofs, exterior walls, water, drainage, electricity, gas or other services, as well as partial demolition to the extent reasonably necessary to carry out these building operations.
9. The Planning Practice Guidance³ (the PPG) provides further information in that regard, by stating that the right assumes that the agricultural building is capable of functioning as a dwelling. The PPG adds that it is only where the existing building is already suitable for conversion to residential use that it would be considered to have the permitted development right.
10. The appeal building is steel framed structure with partial blockwork walls of varying heights with timber and profile corrugated cladding and roofing. It has a concrete slab floor and the north elevation is a large open bay.
11. The scheme proposes that the exterior of the barn will utilise the existing timber cladding and will be infilled with additional timber cladding (where necessary) to match. It is stated that the existing roof covering will also be retained. Internally, a mezzanine floor with a vaulted gallery will be inserted.
12. The submitted Structural Feasibility report sets out that this will be facilitated through the introduction of 'proposed internal dense blockwork partitions on new strip foundations (which) will prop the existing rafters'.
13. The PPG sets out that for the building to function as a dwelling it '*may be appropriate to undertake internal structural works, including to allow for a floor, the insertion of a mezzanine or upper floors within the overall residential floor space permitted, or internal walls, which are not prohibited by Class Q.*'
14. Consequently, even if the proposed internal works have a structural function, they are not prohibited by Class Q.
15. However, whilst the submitted information illustrates that the existing slab can accommodate the weight of the north elevation infilling, the addition of strip foundations are not included in the building operations specified in Class Q and

³ Reference ID: 13-105-20180615

would constitute rebuilding work which would go beyond what is reasonably necessary for the conversion of the building to residential use.

16. Consequently, based on the submitted information, the existing building cannot therefore reasonably be described as being capable of functioning as a dwelling.
17. I conclude that the proposal would not constitute permitted development in respect of Class Q of the Order with particular regard to building operations reasonably necessary to convert the building to residential use.

Other Matters

18. The submitted Bat Roost Assessment⁴ sets out that the appeal site lies within Zone C of the Guidance on Development associated with the Mells Valley Special Area of Conservation.
19. Article 3(1) of the GPDO grants planning permission for the classes of development described as permitted development in Schedule 2 subject to Regulations 75-78 of the habitats regulations. Article 3(1) effectively imposes a pre-commencement condition on all development that is permitted by the Order and would affect a European protected habitat. Permitted development cannot be lawfully begun until the developer has made a Regulation 77 application and the Council is satisfied that the development would have no adverse effect on the integrity of the habitat.
20. Neither the GPDO, nor Regulations 75-78 prescribes the sequencing of prior approval and Regulation 77 applications. The requirements of both procedures must be met before the development can be lawfully begun, but it is not the case that the appellant must have written notification of a Regulation 77 approval before seeking prior approval, or vice versa.
21. Therefore, a Regulation 77 application would have been a matter for the main parties to address outside of this appeal before the development starts if this appeal were to have been successful.
22. Whilst the development may result in an improvement visually and would not lead to any unacceptable noise issues, this is not conclusive in this regard for considerations of compliance with the GDPO.

Conclusion

23. For the above reasons, I conclude that the proposal is not permitted development within Schedule 2, Part 3, Class Q of the Order. The appeal is therefore dismissed.

B Phillips

INSPECTOR

⁴ By Country Contacts, September 2021