

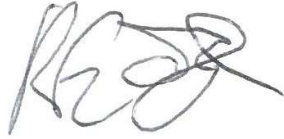


Northumberland

County Council

Class Q note

October 2021

| | Name and Position | Signature | Date |
|----------------|--------------------------------------|--|------------|
| Drafted by: | Robin Edge – Planning Policy Officer |  | 27/10/2021 |
| Signed off by: | Rob Murfin | | |

CLASS Q – AGRICULTURAL BUILDINGS TO DWELLINGHOUSES:

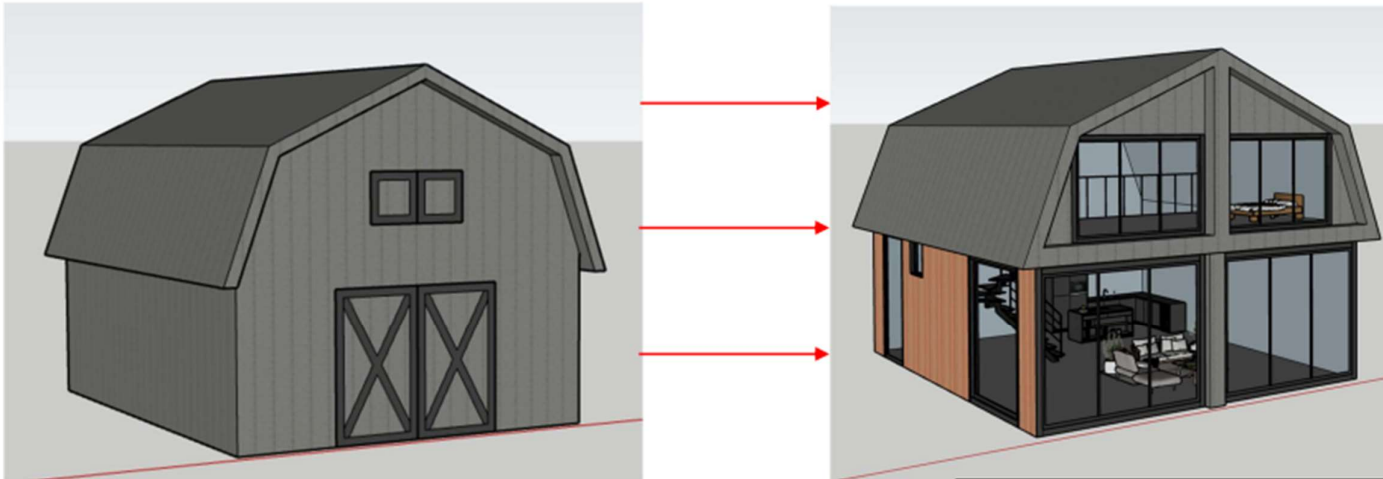
“Barn conversion for residential use (C3)”

If NEW DWELLINGHOUSES are $\leq 100 \text{ m}^2$:

- up to 5 can be built

If NEW DWELLINGHOUSES are $> 100 \text{ x } \leq 465 \text{ m}^2$:

- up to 3 can be built



Class Q does NOT apply if the building:

- was not used for agricultural use
 - on 20th March 2013, or
 - if the building was in use before but not on that date, when it was last in use, or
 - in use for 10 years if after that date

ANCILLARY PERMITTED OPERATIONS:

- Those reasonably necessary for conversion, including:
 - windows, doors, roofs, or exterior walls
 - water, drainage, electricity, gas or other services
 - partial demolition

NOT PERMITTED:

- On agricultural tenancy without consent,
 - was terminated < 1 year before development begins, and
 - termination was for the purpose of Class Qunless it is no longer required
- On article 2(3) land, SSSI, listed building, scheduled monument, safety hazard area, military explosives storage area

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1. Guidance Notes to Applicants/Agents

1.1.1. Given the Local Planning Authority (LPA) has limited scope for consultation within the time period for determining the Prior Notification Applications (PNA) when assessing applications under Class Q, applicants/agents are encouraged to provide sufficient detail to enable officers to make an informed assessment in accordance with the criteria and conditions identified. In the absence of the necessary information, the PNA is likely to be rejected. This process was introduced by Central Government (and amended with effect from 6 April 2018) to increase the supply of housing primarily in rural areas, and Northumberland County Council recognises the contribution such proposals can make to this objective.

2. Information that must be submitted in accordance with national validation requirements (please also see 'helpful advice on key issues', below):

- Completed form or a written description of the proposed development which must include any building or other operations.
- A plan indicating the site and the proposed development
- A statement specifying the net increase in dwellinghouses proposed.
- A statement or form which specifies:
 - i. the number of smaller dwellinghouses proposed;
 - ii. the number of larger dwellinghouses proposed;
 - iii. whether previous development has taken place under Class Q within the established agricultural unit and, if so, the number of smaller and larger dwellinghouses developed under Class Q.
- A floor plan indicating the dimensions and proposed use of each room, the position and dimensions of windows and walls and the elevations of the dwellinghouse.
- Contact details for applicant/agent.
- A site-specific flood risk assessment in an area within Flood Zone 2 or Flood Zone 3; or in an area within Flood Zone 1 which has critical drainage problems
- Appropriate fee

3. Additional information

3.1.1. The following bullet points provide information for applicants/agents submitting proposals under Class Q which may also need to be addressed at the time of submitting the PNA, depending on the circumstances of the case:

- Transport and highways impacts should be considered and plans may need to be submitted demonstrating safe access and egress, where appropriate
- The impact of noise will need to be addressed – if there are existing uses surrounding the proposal site that have the potential to generate unacceptable impacts, the relevant assessments should be carried out demonstrating how the risks are to be mitigated.
- Contamination risks on the site - where it is suspected the building may be constructed using timber treated with a biocide such as creosote or the proposal site may be within or close to contaminated land, the relevant assessments should be carried out

demonstrating how the risks are to be mitigated; including confirmation as to whether or not treated timbers need to be replaced.

- Consideration should be given to uses of other surrounding buildings and whether it is appropriate in terms of residential amenity for these to be retained or extinguished (by condition etc).

• The local planning authority may require a protected species survey as part of the determination. If it is suspected that the building is likely to be a suitable habitat for any [European protected species](#) (bats, owls etc), it is recommended that the appropriate survey(s) are carried out ahead of submission. The local planning authority can refuse to grant Class Q approval if insufficient information is provided in this respect. This requirement has been developed out of case law.

- The building should be of sound construction and capable of conversion without the need for major re-building. Flimsily clad buildings of metal or timber sheeting may require a level of re-build beyond the scope of acceptability under the provisions of Class Q. See 'Structural integrity' below.
- Extensions or alterations to the height, exterior walls or footprint of an existing building are not permitted development.
- The proposed curtilage should be no larger than the land area occupied by the agricultural building.
- When calculating the floor space of the proposed building(s), account should be taken of first, second or mezzanine floors to provide:
- up to three larger homes within a maximum of 465sqm (internal calculation – proposed residential floorspace), or,
- up to five smaller homes each no larger than 100sqm, or,
- a mix of both, within a total of no more than five homes, of which no more than three may be larger homes.
- National Planning Practice Guidance (PPG) paragraph 104 was updated on 06/04/2018 to clarify that Part 3 Class Q only allows "*larger dwellings*" (> 100m²) and/or "*smaller dwellings*" (≤ 100m²)
 - up to 3 larger homes, > 100m² within an overall floorspace to ≤ 465m²; or
 - up to 5 smaller homes each ≤ 100 m²; or
 - up to 5 homes comprising a mixture of larger and smaller homes, with neither exceeding the thresholds for each type of home.
- The GPDO 2015 was amended itself on 25/05/2019 inserting a new limitation (Q.1(ba)) to set out that development is not permitted if "*the floor space of any dwellinghouse developed under Class Q having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order exceeds 465 square metres*".
- With all submissions, the local planning authority will have regard to the National Planning Policy Framework 2021 insofar as it is relevant to the subject matter of the prior approval.

4. How to make an Application

- 4.1.1. Applicants/agents are encouraged to submit the Prior Notification electronically via the [Planning Portal](#). If unable to submit electronically, forms are available to download from the Planning Portal [Here](#). Downloaded forms should be emailed to planning@northumberland.gov.uk.

5. Helpful advice on key issues:

5.1. Structural integrity:

- 5.1.1. A professional, illustrated report is essential in most cases. It should provide clear information on the amount of work required and be based on robust evidence. The report should confirm through the details provided that the construction method is non-structural and that the scheme represents a conversion rather than a new build. Vague and/or generic reports with limited details of the extent of any repair, rebuilding or strengthening works required are rarely helpful and should be avoided.
- 5.1.2. No alterations or additions should normally be undertaken to the primary structure of the building (for the purposes of Class Q, the primary structure is considered to include supporting walls and columns, steel/timber frames, roof trusses/girders and foundations).
- 5.1.3. Structural timbers may be treated with creosote or similar which is a biocide health hazard and [HSE REACH](#) advise that such treatments should not exist inside a building. Professional structural reports should indicate whether or not structural elements need to be replaced to comply with HSE REACH regulations.
- 5.1.4. If class Q is granted and it subsequently becomes clear that treated structural timbers need replacement, the development may no longer be permitted under class Q and planning permission for the change of use of the building may be required.

5.1.5. *Hibbitt*¹ provides the seminal case law on this matter. The Judge determined what is meant by 'convert' in Class Q(b). Class Q, Part 3, Schedule 2 to the GDPO 2015 (Class Q) permits:

- A change of use of an agricultural building (and any land within its curtilage) to a dwellinghouse (Class Q(a) development).
- Any building operations reasonably necessary to convert that building to a dwellinghouse (Class Q(b) development).

5.1.6. PPG paragraph 105 was updated on 06/04/2018 set out that any building operations must be carried out "*together with*" the change of use and not separately.

5.1.7. Article 2 and paragraph X of Part 3 of the GPDO 2015 sets out various definitions. There is no definition of 'convert'.

¹ Hibbitt, and Another v Secretary of State for Communities and Local Government, and Rushcliffe Borough Council [2016] EWHC 2853 (Admin) (9 November 2016)

- 5.1.8. The barn relating to the PNA site would have retained existing steel frame and roof within the proposed development. However, structural infill panels were required to construct the four external walls and ceiling.
- 5.1.9. Rushcliffe Borough Council refused because they considered the proposal to go beyond that permitted by Class Q. This decision was appealed, however the Planning Inspector agreed and, consequently, dismissed the appeal. The PDR does not allow a complete rebuild of the building and the works went "*well beyond what could reasonably be described as conversion*". The claimant then appealed to the High Court.
- 5.1.10. The High Court dismissed, concluding that the proposed development was not a conversion, and clarified that if a development does not amount to a conversion then it falls at the first hurdle of the PDR and cannot be classified as permitted development. Additionally, they confirmed that there was no need to for 'convert' to be defined in the GPDO, because each case would be assessed on its merits.
- 5.1.11. The development would have also involved the creation of new structural elements. A number of applications have previously been refused for developments involved structural works to walls, upper floor or internal walls. The Previous Planning Practice Guidance ('PPG') para 105 stated that:
"it is not the intention of the permitted development right to include the construction of new structural elements for the building. Therefore, it is only where the existing building is structurally strong enough to take the loading which comes with the external works to provide for residential use that the building would be considered to have the permitted development right".
- 5.1.12. Within a dismissed appeal in Devon 2016² the Inspector concluded a barn needed structural support. The Inspectorate also attached significant weight to PPG. As a result of this decision and Hibbit the PPG para 105 changed in June 2018 to delete the above reference to structural elements and amend the guidance so that it states:
"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."
- 5.1.13. Recently³, *Hibbit* continues to be tested in planning appeals. Appendix A shows some of these appeals. The test has been developed to assess the existing physical structure of traditional wood/brick or modern steel-framed barn, including its ability to support the proposed works without any additional new support. Also, it has been deemed that any barn should have a solid or engineered concrete floor for Class Q.

² [APP/W1145/W/16/3146084](#)

³ At the time of writing (25 Oct 2021)

5.2. Internal structural works:

5.2.1. Revised Planning Practice Guidance (PPG) issued by the Housing Ministry on 22 February 2018 states:

"Internal works are not generally development. 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".

5.2.2. This revised advice clarifies that these works are not prohibited by Class Q. Cumulative work to facilitate the change of use will however be taken into account in an assessment against Q.1 (i) (reasonably necessary building operations)

5.3. External building operations:

5.3.1. It is useful if the submitted plans clearly show the elements of the external fabric of the existing building that are to be retained and replaced.

5.4. Agricultural unit:

5.4.1. "Agricultural unit" is not defined in Article 2(1) of the GPDO, but two definitions are found in the Second Schedule.

5.4.2. Paragraph X of Part 3 defines an "established agricultural unit" as "agricultural land occupied as a unit for the purposes of agriculture (and which was in use for that purpose on or before the relevant qualifying date under Classes Q, R and S respectively).

5.4.3. In Part 6, "agricultural unit" is defined in paragraph D.1 as "agricultural land which is occupied as a unit for the purposes of agriculture, including —

- a) any dwelling or other building on that land occupied for the purpose of farming the land by the person who occupies the unit, or
- b) any dwelling on that land occupied by a farmworker

5.4.4. An agricultural unit may not necessarily be the same as a single planning unit. This is particularly likely to be the case where a large agricultural enterprise is spread over a number of separate parcels of land, possibly over several whole farms. These may potentially form one agricultural unit, but will constitute several separate planning units, especially where parts of the land comprising the agricultural unit are not contiguous.

5.5. History of agricultural use:

5.5.1. The onus is on the applicant to provide appropriate evidence to confirm the agricultural use of the building for the purposes of a trade or business on the relevant date. It is recommended that statutory declarations, sworn statements, dated documents etc. are submitted with the PNA to help support the applicant's case should contrary evidence be provided by third parties.

5.5.2. Short term intervening use(s) may not amount to a material change of use.

5.5.3. [Section 336](#) of the Town and Country Planning Act 1990 defines 'agriculture' as including:

- 'horticulture, fruit growing, seed growing, dairy farming;
- the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land);
- the use of land as grazing land, meadow land, osier land, market gardens or nursery grounds; and
- the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes.'

5.5.4. In relation to equestrian use to be able to fall within the definition above means having horses and dealing with them in very much the same way as cattle, sheep or pigs i.e. for slaughter, working horses on the land (ploughing for example) and turning horses out for grazing only.

5.5.5. If the horses are given supplemental feed and kept in the field for exercise and provided shelter, then the predominant use of the land is not regarded as agricultural. This equally applies for riding schools, livery and racing stables, stud farms and hobby (or private leisure) purposes.

5.6. Class Q (a) and Class Q (b):

5.6.1. Class Q(a) can be submitted independently of Class Q(b), although if the proposal requires building operations, the scheme should be progressed together with a Class Q(b) application. The reason being that paragraph W(2)(a) advises in clear terms that the application must be accompanied by a written description of the proposed development, which, in relation to development proposed under Class C, M, N or Q of Part 3 must include any building or other operations.

5.7. Building size:

5.7.1. It is the existing building that is to be converted.

5.7.2. Whilst extensions to the external dimensions of the building are not permitted development, minor protrusions such as doorsteps, gutters, flues and window sills are likely to be acceptable.

5.8. Curtilage size and practical arrangement:

5.8.1. Any curtilage to be provided should be no larger than the external footprint of the existing building.

5.8.2. A curtilage does not need to be provided or be practical in its arrangement.

5.9. Listed buildings and curtilage listed building issues:

5.9.1. Class Q is not applicable where the building to be converted is a listed building (Class Q.1 (m)).

5.9.2. Class Q is also not applicable to curtilage listed buildings. For more information on this, please copy and paste the following appeal decision (Uttlesford DC, January 2018) into your browser:

<https://acp.planninginspectorate.gov.uk/ViewDocument.aspx?fileid=25241048>

5.10. Relevance of the National Planning Policy Framework 2021 (NPPF):

- 5.10.1. Sustainability of location is not relevant (but the suitability of the location, for example, open moorland or a sensitive coastal slope, is a relevant consideration).
- 5.10.2. The NPPF is relevant to the subject matter of the prior approval.

- 5.10.3. Within *East Herts*⁴ the LPA wanted to severely restrict Class Q to where they would normally grant planning permission for rural dwellings. They considered that this was in an unsustainable location.
- 5.10.4. If succeeded would have frustrated the whole purpose of Class Q being introduced – to increase the provision of housing through the conversion of agricultural buildings.
- 5.10.5. Mr Justice Dove held that, whilst accessibility is a relevant consideration, it should not be given the same weight in determining Class Q prior approvals as would be the case for a planning application for a dwelling in the open countryside.

5.11. Use conditions on existing buildings:

- 5.11.1. Use conditions remain relevant and may remove the Class Q permitted development right (ref: the General Permitted Development Order 2015 - Article 3(4)).
- 5.11.2. A Section 73 application (to carry out planning permission without complying with a previously imposed planning condition) or an application for a Certificate of Lawful Use or Development could be submitted for consideration to be given to the removal of the use condition.

5.12. Other uses within existing buildings:

- 5.12.1. If agriculture was not the sole use of the building on the relevant date, the Class Q permitted development right is removed.
- 5.12.2. Precise and unambiguous evidence of the use is required.
- 5.12.3. The onus of proof is on the applicant.

5.13. Completion of development:

- 5.13.1. Development under Class Q(a), and under Class Q(b), if any, must be completed within a period of 3 years starting with the prior approval date (Class Q.2 (3)).

5.14. Class Q and Part 6 Agricultural and Forestry Development:

⁴ East Hertfordshire District Council v Secretary of State for Communities and Local Government & Anor [2017] EWHC 465 (Admin) (9 March 2017)

5.14.1. In accordance with Part 6, Class A.1(b) of the General Permitted Development Order 2015, no agricultural building may be erected or extended on an established agricultural unit within ten years of the completion of Class Q development on that unit (PPG paragraph 106).

5.15. Prior Notification v Planning Application:

5.15.1. It is acknowledged that, in certain cases, an application for planning permission may result in a better scheme in terms of building design and amenity provision than Class Q criteria would allow. In such circumstances, the Council may view a previous approval under Class Q as a material planning consideration/fallback position when considering a subsequent planning/pre-application to change the use of an agricultural building to a dwelling with alterations and extensions or complete rebuilds, although the weight to be given will depend on the circumstances in each case. For the avoidance of doubt, the argument that an approval under Class Q would have been given will not suffice.

5.15.2. In *Mansell*⁵, planning permission was granted for four replacement houses on land currently occupied by a bungalow and large agricultural building. LPA acknowledged barn could be converted into 3 houses under Class Q. A Neighbour brought a Judicial Review. Consent was initially squashed by High Court but reinstated by the Court of Appeal, who found it was legitimate for the Council to grant the consent, even though no PNA to convert the barn had been made.

5.15.3. The Court of Appeal held that the potential Class Q conversion fallback position was a material consideration in this decision and, provided realistic prospect of such development going ahead Where such consent exists, or could reasonably be granted, then it is possible to design a brand-new house and present a case to an LPA that there are benefits ("a betterment") in planning terms over and above any generated from the Class Q conversion. For example, by being better designed or an improved layout.

6. Building Regulations

6.1.1. Please note that this procedure does NOT grant approval under the Building Regulations and separate approval will need to be sought. Due to the nature of these conversions it is strongly advised that you consult with your local Building Regulation Officer at an early stage so as to minimise the risk of not being able to comply with the Building Regulations as well as any approval granted under the Class Q provisions.

⁵ Mansell v Tonbridge & Malling Borough Council [2017] EWCA Civ 1314 (8 Sept 2017)

Appendix A: Class Q appeals 2021

| Date 21/10/2021 Class Q appeals 2021 | | | | | | | | |
|--|----------------|---------------|-----------------------------|-----------|-------------|--------------------|---|--|
| App ref | LPA | Site | DCS ref | Decision | Date issued | Hibbitt mentioned? | Hibbitt ref | COMPASS summary |
| APP/Q3305/W/20/3258069 | MENDIP | May Cottage | 400-029-337 | Allowed | 18/01/2021 | Yes | Works reasonably necessary for conversion | 2 dwellings, steel framed Dutch barn (with concrete floor) and block work lean to. Structural report. New internal secondary structural frame supporting but independent from existing roof and not replace existing barn structure. Able to support external works. Accepted extent of works would be significant but not substantial enough to constitute a rebuild rather than a conversion. Works reasonably necessary |
| APP/X1118/W/20/3260797 | NORTH DEVON | Newland Cross | 400-029-504 | Dismissed | 01/02/2021 | Yes | Conversion vs rebuild | 5 dwellings from timber clad portal frame barn, on top of low concrete block wall. Not been used for agriculture, or not in relation to agriculture, for many years. 'Gabbitas' court case. No existing by new concrete floor would represent a notable alteration to the existing building. Existing timber poor quality, no foundations concluding necessary works would not be permitted development |
| APP/P1615/W/20/3256199 | FOREST OF DEAN | Meredith Lane | 400-030-004 | Dismissed | 09/02/2021 | No | | 1 smaller 1 larger dwelling. Modern clad steel frame bar, cement roof and steel elevation sheets. Wall and roof cladding replaced. Floor, steel frame and some block work would remain. |

Appendix A: Class Q appeals 2021

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|--|---------------------|----------------------------|-----------------------------|-----------|------------|-----|---------------------------------|---|
| | | | | | | | | Unsure if steel frame could support works. Planning Judgement. Issue with bat Protected Species |
| APP/A2470/W/20/3262931 | RUTLAND | Fairchilds Lodge | 400-029-619 | Allowed | 09/02/2021 | Yes | Wouldn't be rebuild | Portal framed structure. Clad roof sheet, blockwork lower walls, two with timber above. Walls to be retained, elevations reclad stone and timber, new glazing, roof replaced. Frame could take weight, 'reasonably necessary' decided work would not be so substantial to not constitute rebuild not conversion. Although extensive, frame could take works |
| APP/V0510/W/20/3259143 | EAST CAMBRIDGESHIRE | Meadlands Farm and Cottage | 400-030-037 | Dismissed | 16/02/2021 | Yes | Conversion vs rebuild - rebuild | 2 dwellings. Contamination risks and works would exceed limitations of Class Q. Concrete portal framed barn, open sided, brick corrugated cladding walls. Broken slab floor. New everything, apart from frame. Concerned about foundations |
| APP/J0405/W/20/3258309 | BUCKINGHAMSHIRE | Deans Poultry Farm | 400-030-233 | Dismissed | 17/03/2021 | No | | Modern timber frame. Last used poltery 2002. Solid floor, timber clad. Disrepair, extensive demolition, only floor slab, some frame and plint remaining. Materially changed appearance, rebuild and not Class Q |
| APP/40660/W/20/3263764 | CHERSHIRE EAST | Canal Side Farm | 400-030-598 | Dismissed | 21/04/2021 | Yes | Conversion vs rebuild | three agricultural buildings. lightweight, timber pole barn - need walls, replacement roof. Floor slab condition unknown. Limited info provided. Need new steel structure or |

Appendix A: Class Q appeals 2021

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| | | | | | | | | portal frame - beyond reasonably necessary. Starting afresh = rebuild |
| APP/J1860/W/20/3263591 | MALVERN HILLS | Wood Farm | 400-030-951 | Dismissed | 14/05/2021 | No | | 3 houses from 2 modern agricultural buildings. Concrete floor. No investigations of foundations. Design itself fine |
| APP/W3330/W/21/3268761 | SOMERSET WEST & TAUNTON | The Greenhouse | 400-031-389 | Allowed | 15/06/2021 | Yes | External walls. Wouldn't be skeletal structure | commercial, horticultural greenhouse with a steel frame of two spans, each having a twin pitched roof with structural gutters supported by lattice girders. Concrete floor slab. Council said rebuild. Structural report main steel structure, blockwork walls, glazed panels, and floor slab good condition and frames could support conversion. Retain glass roof, low level block walls, majority of glazing, some replaced with timber panels with doors and windows. Works necessary to function as dwellings. Hibbitt = skeleton, this building fully enclosed, walls largely unaltered, roof remain, building integral to resultant dwelling not separate within |
| APP/P1940/W/20/3255597 | THREE RIVERS | Bullisland Farm | 400-031-665 | Dismissed | 05/07/2021 | Yes | PPG refers to Hibbitt | Barn. Proposal to remove all the walls and roof; retaining concrete portal frame and floor, foundations would be retained. first floor mezzanine supported by existing framework, new ground floor wall support upper floors, gable ends self supporting. |

Appendix A: Class Q appeals 2021

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| | | | | | | | | Doubted proposed building depend on existing structure - not conversion |
| APP/U1105/W/21/3270922 | EAST DEVON | Bond Lane Farm | 400-031-737 | Dismissed | 08/07/2021 | No | | 3 larger 2 smaller, 2 poultry houses, demolition, 8 new external walls. 5 detached buildings no meaningful resemblance to simple functional buildings. Extensive works = not capable functioning dwellings without significant intervention, not 'reasonably necessary' for a residential conversion but were tantamount to the full redevelopment of the site |
| APP/N4205/W/21/3275963 | BOLTON | Eskamara | 400-032-331 | Dismissed | 02/09/2021 | Yes | Reasonably necessary | portal framed shed with twin gable ends. blockwork or concrete panels imber or metal cladding above; roofs consisting of corrugated fibre sheeting. Horses. Half building demolished, GPDO no definitive threshold, Hibbitt, new roof, floor, foundations, demolition, planning judgement, degree of works to facilitate the residential use beyond reasonably necessary |
| APP/D0840/W/21/3268966 | CORNWALL | Howard Mill | 400-032-464 | Dismissed | 10/09/2021 | No | | Steel framed portal structure with corrugated metal sheeting above 1.2m high concrete block walls. Storm damage, extensive repairs. Building different to photos. Not original building |

Appendix A: Class Q appeals 2021

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|--|------------|----------------------|-----------------------------|-----------|------------|-----|---|--|
| APP/Q3305/W/21/3274875 | MENDIP | Court Farm | 400-032-607 | Dismissed | 21/09/2021 | Yes | Beyond reasonable conversion, fresh build | Frame foundations and floor slab, structurally sound loading. Walls and roof replaced so skeleton. PDRs allow for replacement roof and walls but Hibbitt beyond reasonable conversion, fresh build. not already suitable for conversion to residential use. No cogent supporting evidence |
| APP/L3245/W/21/3269754 | SHROPSHIRE | Sutton Farm | 400-032-615 | Allowed | 22/09/2021 | No | | timber framework with cladding forming the roof and walls. Good condition covered whole building, concrete floor good condition, structural integrity no further strengthening, significant conversion but reasonably necessary. Class Q.1(i)(i)(aa) allowed for the replacement or creation of external walls and roofs, where reasonably necessary for the building to function as a dwellinghouse. Fallback reuse noise, smells, vehicles |
| APP/C3105/W/20/3264358 | CHERWELL | Crockwell House Farm | 400-032-704 | Allowed | 28/09/2021 | No | | Modern steel framed building with walls and roof of corrugated sheeting above a concrete block plinth and concrete floor. change of use of building in a poor condition under Q(a) will not prejudice a subsequent assessment of any building operations proposed under Q(b) to convert the barn. Evidence that the appeal building when last in use was used as part of an established agricultural unit. |

Appendix A: Class Q appeals 2021

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|--|----------------|------------------|-----------------------------|-----------|------------|-----|--|--|
| APP/D1265/W/21/3276507 | DORSET | Southbank Farm | 400-032-910 | Dismissed | 15/10/2021 | Yes | Conversion vs rebuild | 4 buildings, 1 open sided. Submitted drawings did not provide accurate representation of buildings conditions, significant work required, not suitable for conversion. No solid floor, roof collapsed |
| APP/P1615/W/21/3277249 | FOREST OF DEAN | Guy Hall Farm | 400-032-960 | Dismissed | 19/10/2021 | Yes | PD might be expansive, not disqualify automatic permission | Noted term 'reasonably necessary' was not defined within the GPDO or PPG and was a matter of fact and degree in each case. Demolish attached buildings. Buildings could function as dwellings without the extent of demolition proposed- go beyond what was 'reasonably necessary'. Existing frame, floor, roof, utilities and some external walls retained but large areas of external walls. Buildings were not capable of functioning as dwellings, and were not suitable for conversion. |
| APP/P2935/A/14/2226794 | NORTHUMBERLAND | Kipper Lynn Farm | 400-006-088 | Allowed | 23/12/2014 | No | | Large amounts of glazing. Council said beyond reasonably necessary and cow shed unacceptable living conditions. Condition remove cow shed. Glazing segmented in existing bays, adequate natural light, concrete frame, dwarf walls remaining = reasonably necessary to function as dwelling |