Planning Inspectorate

Appeal Decision

Site visit made on 15 July 2026

by E Everitt BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 August 2026

Appeal Ref: 6007717
Duckmoor Barn, Wooddale Lane, Billingshurst RH14 9DZ

- 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 & Mrs Sherlock against the decision of Horsham District Council.
- The application Ref is DC/25/1949.
- The development proposed is Prior Notification for Change of Use of Agricultural barn to a single dwellinghouse (Class C3).

Decision

1. The appeal is dismissed.

Preliminary Matter

2. There are discrepancies in the internal floor area referred to by the appellant within the application material and their appeal statement. Nevertheless, my assessment is based on the plans submitted to the Council as part of the application subject of this appeal and upon which the Council made its decision.

Background and Main Issues

3. Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GDPO) permits development consisting of a change of use of a building that is part of an established agricultural unit and any land within that building's curtilage to a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order, together with building operations reasonably necessary to convert the building to a use falling within Class C3 (dwellinghouses) of that Schedule or to extend that building.

4. Paragraph Q.1 of Class Q sets out a number of technical limitations and restrictions. The Council considers that the proposal would not conflict with the limitations and restrictions specified in parts (a)-(i) and (k)-(p) of paragraph Q.1. Based on the evidence before me, I have no reason to disagree. Nonetheless, the Council argues that the proposal would not accord with paragraph Q.1(j), which relates to the extent of building operations proposed.

5. In addition, paragraph Q.2(1) of Class Q identifies that development is permitted subject to the condition that before beginning the development, the development must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to (a) transport and highways impacts of the development, (b) noise impacts of the development, (c)

contamination risks on the site, (d) flooding risks on the site, (e) whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order, (f) the design or external appearance of the building, and (g) the provision of adequate natural light in all habitable rooms of the dwellinghouses. The Council raises concerns in relation to paragraph Q.2(1)(e) with regard to the compatibility of the proposed residential use with the retained agricultural use.

6. Accordingly, the main issues are:

- whether the proposal would be permitted development under Class Q; and
- if so, whether the location or siting of the building makes it impractical or undesirable for the building to change from agricultural use to residential use.

Reasons

7. The appeal site comprises an agricultural building which is largely open-sided. The appeal proposal would convert the north-east part of the building to residential use.

8. Paragraph Q.1(j) permits the installation or replacement of windows, doors, roofs, or exterior walls to the extent reasonably necessary for the building to function as a dwellinghouse and partial demolition to the extent reasonably necessary to carry out such works. The Planning Practice Guidance (PPG) provides further guidance in this regard, establishing that 'the right assumes that the agricultural building is capable of functioning as a dwelling' and 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'[1].

9. The appellant has provided a Structural Report which advises that, aside from fire damage to the steel frame and walls in the south-west corner, the remaining steel frame appears to be in reasonable condition. The primary structure is identified as appearing to be square and sound with all the principal members in place. On the basis that the proposal relates to the non-fire damaged section of the building, the Structural Report concludes that, subject to new insulated roof and wall sheeting not weighing any more than the existing sheeting, the existing frame would be suitable without any major repairs or structural works. I note that the Structural Report is based on a visual inspection from ground level only. Nevertheless, I have no substantive evidence before me to demonstrate that the primary structure would not be able to support the loads associated with residential use without major structural works.

10. Notwithstanding this, the structural integrity of the frame alone is insufficient to satisfy the requirements of Class Q. Indeed, while the *Hibbitt & another v SSCLG & Rushcliffe Borough Council [2016] EWHC 2853 (Admin)* judgement considers this matter, it also addresses what constitutes the conversion of an agricultural building. The judgement identifies that there will be numerous instances where the agricultural building might be so skeletal that the works needed to alter the use to a dwelling would be of such magnitude that in practical reality what is being undertaken is a rebuild.

[1] PPG Paragraph: 105 Reference ID: 13-105-20180615

11. In this case, although the existing steel frame and roof joists would be retained, this represents no more than a skeletal starting point. The proposal would include the removal of the existing roof covering and replacement with a new tiled roof as well as the addition of new external walls on all sides of the proposed dwelling. In my view, even if largely related to non-structural building fabric, such works would be substantial and go far beyond what might reasonably be described as a conversion. In all practical terms, the development would be starting afresh with only a modest amount of help from the original agricultural building, in the form of the structural frame.

12. I acknowledge that no restriction is placed on the extent of works allowed under paragraph Q.1(j) and that the need for new cladding or walls does not, in-principle, mean that the building is incapable of functioning as a dwelling. However, the nature and extent of the proposed works means that, in this case, they would be tantamount to starting afresh. This is irrespective of the presence, and proposed retention, of existing brick walls and cladding in parts of the building not subject to conversion, and the permitted development right not only applying to buildings which are fully enclosed, weather-tight or immediately habitable.

13. My attention has been drawn to a number of similar cases. This includes at Land North of Freeland House where the Council granted prior approval for the conversion of an agricultural building to residential use[2]. I have limited information relating to this case, including no plans, before me. Therefore, although the appellant has put to me that the structure was largely open-sided, I am not able to make any meaningful comparisons with the appeal scheme. I also have insufficient information before to enable a meaningful comparison between the appeal scheme and the proposed development at Trenchmore Farm[3].

14. In relation to the other cases cited by the appellant, it is evident from the information before me that proposals for development at Woodend Farm, Little Owl Farm, Clayfield Farm, Maple Farm, Harborough Road, Winkins Wood Farm, Brookdale Farm, Bulls Farm and Canfields Farm[4] relate to agricultural buildings of more substantial construction than the agricultural building at the appeal site. This is particularly in respect of the presence of existing walls and cladding, with at least some of which to be retained and used as external walls for the proposed dwellings in each case.

15. As such, even if there are some similarities between the building on the appeal site and the existing buildings in some of these cases in respect of structural soundness, the cases are materially different to the appeal scheme where all of the external walls of the proposed dwelling would be additions to the existing structure. Without detailed information, there appears to be little substantive difference between the proposal at Poachers Cottage[5] and the part of the barn subject to the proposal before me, both principally relating to the skeletal frame of a building. Accordingly, the conclusions reached in these cases do not alter my assessment of the appeal proposal.

[2] DC/25/0789
[3] LX/20/01753/PA3Q
[4] APP/J1860/W/22/3294191, APP/N1025/W/22/3311865, DC/21/1998, DC/21/1878, KET/2019/0618, PS/20/00777/PA3Q, DC/18/2716, DC/18/0974 and DC/15/2524 respectively
[5] APP/Q3115/W/23/3317169

16. In any event, each case must be determined on its own individual circumstances, and I have explained above why the appeal proposal would not accord with the requirements for a conversion under Class Q.

17. For these reasons, I conclude that the requirements of paragraph Q.1(j) are not met and the proposal would not be permitted development under Class Q.

18. As considerations in relation to prior approval are a follow-on condition stage under paragraph Q.2, they can only apply if the development is otherwise permitted development. Therefore, in light of my finding above, it is not necessary to consider whether the location or siting of the building makes it impractical or undesirable for the building to change from agricultural use to residential use.

Conclusion

19. For the reasons given above, the appeal should be dismissed.

E Everitt

INSPECTOR