

31st July 2025

Our Ref: SWLC.LPC884

Development Services – North
Wiltshire Council
Monkton Park
Chippenham
Wiltshire
SN15 1ER

Dear Sir/Madam

Town and Country Planning (General Permitted Development) (England)
Order 2015 (as amended) – Part 3, Class Q, conversion of existing building
to create 3No new dwellings at Lovett Farm, Swindon Road,
Little Somerford, Chippenham, Wiltshire, SN15 5BP

Please find enclosed a duly completed Prior Approval application in respect of the above development.

The building in question to be converted is an arched storage building, understood to have been erected on the farm in the 1960s. The building's location is shown on the aerial photograph extract below, effectively enclosed by the 'L' shaped former chicken house range, to the north west of the farmhouse.



The application is made pursuant to Class Q (a), (i) and (c). The building is 'part of an established agricultural unit', and the conversion proposed comprises only those 'building operations reasonably necessary to convert the building'.

The proposed conversion will create 3 No new dwellings, as shown by the plan extracts inserted below.



The fundamental change made by Statutory Instrument 2024 No 579 is that it is no longer necessary to demonstrate an established, active or historic agricultural use. It is understood though that the building originally provided the main farm store for vehicles and food stuff and has diversified as a more general storage building in recent years.

In order to assess the Prior Approval enclosed you will be aware that the principle, must first be considered against those matters at Q.1 (a) to (p), to determine if the development is permitted. The Prior Approval is then required to satisfy those conditions at Q.2 (a) to (g). The following commentary therefore reviews the full scope of the relevant application consideration and confirms there are no grounds to resist the change of use as proposed.

Accordingly, examining the permitted development provisos first, it is the applicant's case, as indicated above, that the existing building is clearly part of an established agricultural unit, so that Q.1 (a), (i) is satisfied as it was clearly part of the unit on the appointed date. Q.1 (b) Is not applicable.

The floor space of the new dwellings proposed do not exceed 150m² (139.9 m² and 2 x 149.7m²), thus satisfying Q.1 (c). No other Class Q development has been executed on the unit so the cumulative figures at Q.1 (d) (i) and (ii) are not exceeded either.

Drawing No LPC884 PR 302 enclosed includes the floor plans and built footprint dimensions and the associated site plan proposed (LPC884 PR 301) confirms that the associated curtilage area does not exceed the unit's footprint, being the land occupied by the buildings as confirmed at paragraph x to the GDPO, satisfying the relevant provisions at Q.3. Parking does not need to be within the defined curtilage and will utilise the existing hardsurfaced parking and turning space associated with the building and the rest of the yard off the established farm access road to the south west. As you will be aware this is typical and there is no requirement within the terms of the Prior Approval application that parking should be in the curtilage and its provision can of course be conditionally controlled.

Q1 (e) requires that the site is not occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained. That is not applicable though as no tenancy agreement exists. Q1 (f) is not applicable either as no tenancy agreement has also not existed 'less than 1 year before the date development begins'.

Q1 (g), regarding development under Class A(a) or Class B(a) of Part 6 of this Schedule (agricultural buildings and operations) is not relevant as no such development has been carried out on the established agricultural unit during the relevant period, which is 10 years before the date development under Class Q begins.

Q1 (h) requires that the development should not result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point, other than—

- (i) extension of the building allowed by paragraph Q.1(i);
- (ii) protrusions of up to 0.2 metres to accommodate building operations allowed by paragraph Q.1(j)(i).

The plans and related commentary confirm these relevant physical changes are not exceeded.

Q1 (i) indicates that the development under Class Q(b) should not result in an extension that—

- (i) has more than one storey,
- (ii) is sited anywhere other than to the rear of the existing building,
- (iii) extends beyond the rear wall of the existing building by more than 4 metres,
- (iv) has eaves the height of which exceed the height of the eaves of the existing building,
- (v) is higher than whichever is the lower of—
 - (aa) the highest part of the roof of the existing building, or
 - (bb) a height of 4 metres above the ground,

- (vi) extends beyond a wall that forms a side or principal elevation of the existing building, or
- (vii) would be sited on land that, before the development under Class Q(b), is not covered by a hard surface that was provided on the land by virtue of any development, and—
 - (aa) the hard surface was not provided on the land on or before 24th July 2023, or
 - (bb) where the hard surface was provided on the land after 24th July 2023, the hard surface has not been situated on the land for a period of at least 10 years before the date development under Class Q(b) begins.

No extension is proposed so this proviso is not applicable.

Q1 (j) defines the building operations permitted and, in that regard, I trust its permanence and substantial construction is self evident, and that the building is thus clearly capable of taking the loads necessary to facilitate the conversion proposed and the development therefore constitutes the building's conversion and does not exceed the scope of works permitted by Q.1 (j). The application however includes a structural appraisal report prepared by Structures2, and which reinforces the building's robust construction and substance, confirming the conversion detailing will be achievable without requiring major rebuilding. The report includes a series of photographs that help show its permanence, and substantial form.

In the interests of completeness though I have summarised below a brief and indicative conversion methodology to explain the nature of the works proposed, and I believe these works are typical of many comparable conversion schemes approved elsewhere, and more specifically do not go beyond what is functionally and thus reasonably necessary for the building to function as a dwelling.

Internally

The floors throughout the building are concrete and are in good condition. The conversion works will include the installation of a new damp-proof course laid above the existing concrete floor slab, levelled if required, and will be provided in accordance with current building regulations standards. A damp-proof membrane (DPM) will be added on top of the existing slab to prevent rising moisture. A rigid insulation board (e.g. 100mm PIR) will be laid over the DPM to meet floor insulation requirements.

With regard to the inner walling and related framing inside the building this will be provided off the dwarf dense concrete block walling as a timber or metal stud frame tied to the existing structural framing and will be dry lined. The insulation required will be achieved by leaving a 50-100mm cavity between the weather screening effectively positioned on the inside of the sheeted external finish, placed between the purlins so that the main wall and the new frame sit inside the main structures avoiding moisture transfer and protecting against cold bridging. Insulation will be installed to include angle cut rigid insulation boards (e.g., PIR or phenolic foam) or mineral wool between the studs. The aim is of course for a U-value as per home insulation standards. A vapour control layer (VCL) will also be added on the warm side of the insulation to prevent moisture ingress.

Internal new walling will involve the erection of stud walls to divide the internal space as per the design layout. Using timber or light-gauge steel studs and insulation to the partitions will enhance acoustic separation between rooms. The walls will then be plaster boarded and finished, including skimming and painting, as required. The first floor will be boxed out in the same manner integral to the inner walling and hung from the main structural framing.

Externally

Regarding the outer skin the cement fibre sheeting could be retained in situ and be spray painted to enhance its weather proofing and overall appearance, alternatively modern preformed light weight powder coated metal sheeting could be used in its stead. This will require installing vents in the roof cladding to prevent condensation. Regarding vapour control it will be necessary to ensure a control layer is applied as indicated above to what are the walls and roof areas effectively, before installing plasterboard on the internal.

windows and doors will accommodate double or triple-glazed units with high thermal performance ($U\text{-value} \leq 1.4 \text{ W/m}^2\text{K}$). This will significantly improve the overall energy efficiency of the barn.

The intended external finishes as a weather screen which will be simply cut as necessary to accommodate new openings rebated within a edged frame applied first to all such openings. The arch of the building will require a metal tray for the inverted dormer design.

The majority of the changes are therefore internal and do not constitute development and thus therefore fall outside those changes listed at Q.1 (j) and the scope of this application.

In that regard I would also draw your attention to the Government's online Planning Practice Guidance (PPG) at paragraph 105, which reads as follows;

'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, which are not prohibited by Class Q'.

The internal works in this instance are modest, and are therefore clearly acceptable in principle. It is of course understood that the Hibbitt case has clarified the difference between a conversion of an agricultural building which does not require planning permission and the rebuilding of one which does, which is a matter of planning judgement. The Hibbitt case though of course hasn't changed the relevant principles, works that amount to substantial demolition and reconstruction or replacement of existing fabric continue to go beyond what is permitted, and more specifically, don't apply in this case.

The PPG advice at paragraph 104 also makes it clear in these regards that the agricultural building must be capable of functioning as a dwelling. There is obviously no requirement to demonstrate compliance with the relevant Building Regulations,

involving the provision of habitable accommodation for instance, as it stands, but rather, by reference to the Hibbitt case, where it has walls etc. that the building is therefore capable of providing the necessary shelter anticipated as the first functional step for a future residential use, resulting from the conversion. This will therefore ensure that, as converted, it can function as a dwelling. More specifically it states;

'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 from the external works to provide for residential use that the building would be considered to have the permitted right'.

I have noted an appeal last year, Appeal Ref: APP/Q3305/W/23/3322556 at Norwood Farm, Bath Road, Norton St. Philip, Frome, Somerset BA2 7LP that helpfully summarises the often considered issues. The Inspector helpfully brought together the above matters in her summation referencing a 'cassette' to capture the works I have outlined (relating to Q.1 (i) which is now Q.1 (j)), in the following 3 paragraphs, albeit I gather in that case some new external walls were required too.

10. Whilst the rooflights in the roof would be altered, the existing roof covering and structure would be retained, and below would be an insulated lining to improve the thermal performance of the building. An insulated timber frame cassette would be installed inside the existing structure and rainscreen. The open interior of the existing barn would also require subdivision to create the separate dwelling units and internal spaces within each dwelling.

11. It is unlikely that many existing agricultural buildings would be suitable for habitation as they stand without the introduction of insulation, dividing walls and heating to meet regulatory standards to make them suitable for human habitation. The existing barn is currently open at both ends so 2 new external walls with large, glazed panels would be installed in order for the building to function as a dwellinghouse. However, the installation of exterior walls falls under the scope of permitted development under Class Q. Furthermore, the elevational changes, including new doors and windows, would not go beyond those required for conversion, particularly given the extent of the original structure and rainscreen that would be retained. Additionally, the insulated timber frame would not amount to a 're-build' of the building.

12. Consequently, I am satisfied that, as a matter of planning judgement, the existing building would be capable of conversion and that the proposed building operations do not amount to a re-build, a 'fresh build', as they would not go beyond what could reasonably be considered to be a conversion. The works are considered as reasonably necessary for the building to function as a dwellinghouse, as outlined in criteria Q.1 (i)(i).

As explained above those similar works proposed in this case, and arguably less than in respect of the above appeal proposal, sit full square within the scope of works listed at Q.1 (j), and are reasonably necessary in all regards, and where they do not constitute development being internal changes/repairs could be undertaken anytime.

The application building is therefore clearly capable of functioning as a dwelling, both in architectural terms and by structural review. The permitted rights allow building operations which are reasonably necessary to convert a building, which may include those works which would affect the external appearance of the building as indicated at Q.1 (j). Consequently, the application satisfies and does not exceed the terms of the works permitted, and as listed thereat;

‘the installation or replacement of—

(aa) windows, doors, roofs, or exterior walls, or

(bb) water, drainage, electricity, gas or other services, to the extent reasonably necessary for the building to function as a dwellinghouse.’

Q1 (k) which requires that the site is not on article 2(3) land, and Q1 (l) indicates the site should not be, or form part of; (i) a site of special scientific interest; (ii) a safety hazard area; (iii) a military explosives storage area.

All such locational considerations are satisfied.

Regarding Q1 (m) the site does not contain a scheduled monument, and in accordance with Q1 (n) is not a listed building.

Table 1 - Minimum gross internal floor areas and storage (m²)

Number of bedrooms(b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37) *			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4.0
	8p	125	132	138	

Q1 (o) requires that the existing building, excluding any proposed extension under Class Q(b), but including any proposed building operations under Class Q(c), should be capable of complying with the nationally described minimum space standards issued by the Department for Communities and Local Government on 27th March 2015 as read with the notes dated 19th May 2016 which apply to it. The table above is taken from the Government’s National Minimum Space Standards and shows that the existing building’s subdivision will exceed the relevant three bed space threshold applicable to all three units.

Q1 (p) requires that the building has a suitable existing access to a public highway.

The track in question is hardsurfaced and satisfactorily serves the application building.

It is considered the development complies with all the above criteria.

Having demonstrated that the proposed development is therefore permitted in accordance with the limitations at Q.1 it is of course acknowledged that it must also be shown that your Council's Prior Approval is not required with regard to those conditional considerations at Q.2 (a) to (g).

For ease of reference, I have therefore used the conditional wording at (a) to (g) below as sub-headings, together with a brief commentary to explain why your Council's Prior Approval is not required.

(a) Transport and Highway Impacts of the Development

Access to the application property is by an established and operationally suitable arrangement. To all intents and purposes therefore the new chapter of use will simply replace the building's existing agricultural use and given the scale of the site's operations as a whole, will not lead to the material intensification of the use of the existing access. The surrounding buildings will be removed as a result of the proposed development thus effectively lessening the potential comings and goings. The established access point will be used to serve the new dwellings, safely accessing the yard area and to a great extent removing the applicants' regular activities in this space.

Separately there is ample space to park and turn on the land associated with the building and closely related to the curtilages to be created by this application. Parking does not of course have to be positioned within the area of the defined curtilage, which is shown to match the footprint of the building in accordance with Q.3. Indeed, you will be aware that the curtilage definition at Paragraph x refers to an area limited by the 'land occupied by the agricultural building' which the proposed site plan shows is the case, and is of course a different figure from the floor space created internally once the insulated shell is created.

(b) Noise Impacts of the Development

The application is not a noisy development, and neither is this a noisy environment. The barn is free standing and reasonably separated from the nearest neighbours.

The new development will be satisfactorily subsumed as part of the quiet rural location in which it is sited, and where there are no peculiarities which would prevent its reasonable residential use.

(c) Contamination Risks on the Site

The application building has only been used for general agricultural storage purposes so that any contamination risks would therefore clearly be very low. The building by reason of its general design and built form does not appear to have offered any secure storage for chemicals or fuel etc. and there are no reasons to believe that those modest works necessary to achieve the conversion will therefore disturb contaminated ground. The whole floor has a substantial sealed concrete base.

(d) Flooding Risks on the Site

The site does not lie within an area at risk of flooding.

(e) Whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from an agricultural use to a use falling within Class C3 (Dwellinghouses) of the Schedule to the Use Classes Order

The online PPG, Paragraph:109 assists to define what is meant by impractical or undesirable for the change to residential use and is reproduced in part below.

‘Impractical or undesirable are not defined in the regulations, and the local planning authority should apply a reasonable ordinary dictionary meaning in making any judgment. Impractical reflects that the location and siting would “not be sensible or realistic”, and undesirable reflects that it would be “harmful or objectionable”.’

In practice it reflects the location and siting where it would not be sensible or realistic to allow residential use and where the notion of undesirability indicates that it would be ‘harmful or objectionable’ to allow the use.

‘When considering whether it is appropriate for the change of use to take place in a particular location, the local planning authority should start from the premise that the permitted development right grants planning permission, subject to the prior approval requirements. That an agricultural building is in a location where the local planning authority would not normally grant planning permission for a new dwelling is not a sufficient reason for refusing prior approval.’

In this instance there are no reasons to consider the application site so remote or inaccessible that its servicing is impractical. Moreover, there are no locational or neighbouring land uses (as indicated with regard to (b) above) which make the use undesirable either. There is no conflict with an intensive livestock operation for instance.

(f) The design and external appearance of the building

The application building sits within a relatively contained rural location which is unchanged by the proposed new chapter of use, other than enhanced by the removal of the more dilapidated adjacent buildings. Its established visual characteristics of the simple and interesting building will not be materially changed, and the subtle changes for doors and windows will be simply accommodated and

are typical of many successful Class Q applications around the Country. In all regards the building's characteristic form is unchanged and the external finish either spray painted grey or finished similarly as new sheeting ensures a soft and subtle finish, again typical of many similar successful conversions. Otherwise, the fenestration is reasonably necessary to serve the new dwelling proposed and sufficiently simple to retain the established utilitarian and unique built character.

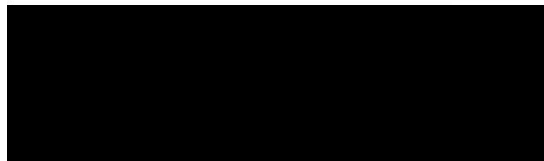
The opportunity has therefore been taken to retain the building's simple form and maximise the site's privacy and outlook, whilst maintaining a simple rural building.

(g) the provision of adequate natural light in all habitable rooms of the dwellinghouse

As can be seen from the proposed plans, all habitable rooms will have a very good standard of natural lighting, and larger windows will maximise sunlight entering the living room and dining areas.

In conclusion, I hope that the application and information enclosed is sufficient to ensure your support. I would of course be delighted to discuss any matters arising though, to ensure your favourable assessment if helpful.

Yours faithfully



Simon Chambers
Director

Enc.