

1st July 2026

Our Ref: SWLC.LPC884

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

FAO Ms L Turner

Dear Ms Turner

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

As you will be aware application PL/2025/08682 was not decided on the extended target date triggering a Deemed Permission. It is of course acknowledged that this permission cannot be exercised if the development does not accord with the Class Q tolerances.

In this regard I note that the decision report makes the following statement :
The submitted structural information confirms that the steel arch frame is to be retained; however, the proposal involves the removal and replacement of the external cladding and roof sheeting, which together form the essential envelope of this structure. In the circumstances of this case, those works go beyond what could reasonably be described as conversion and would amount to a rebuild.

You have of course visited the site, and the decision report includes several photographs that clearly show, as the survey plans confirm, that the building has a corrugated metal sheeted clad construction. Moreover, the supporting planning statement referred to the sealing and retention of the existing built shell, albeit incorrectly describing the material. That confusion was compounded by the fact that structural engineer erroneously wrote up his report having apparently mixed it up with another site that employed asbestos sheeting which was considered necessary to replace.

Without prejudice to the fact there is no evidence that the metal sheeting will not be retained, thus allowing the Deemed Permission to proceed, it is the purpose of the enclosed application to correct the inconsistency regarding the evident finishes and the conversion treatment. Specifically, the structural engineer's report very clearly confirms that the metal sheeted shell can be retained in situ along with the structural frame, applying insulation internally etc.

This clarification removes the singular stated basis for refusal, and it is acknowledged removes the unfortunate inconsistency of the previous presentation (not raised over approaching 11 months processing of the application). Accordingly, as there have been no material changes in circumstances and all other matters remain as common ground I trust the retention of the painted/sealed metal sheeting ensures this resubmission can be approved without delay.

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 3No new dwellings.

As all other matters are understood to be agreed they are taken as read and the only additional commentary considered necessary relates to the following:

Q1 (j) defines the building operations permitted and, in that regard, the permanence and substantial construction is self evident, and the building has been shown by suitable calculations to be 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 corrected structural appraisal report prepared by Structures2, 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.

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;

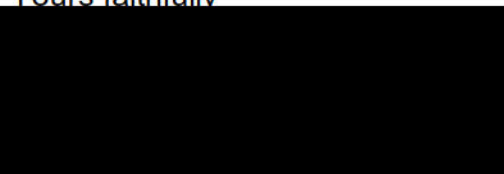
'the installation or replacement of—

(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.'

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

Yours faithfully



Simon Chambers
Director