

## Legislation changes earlier in 2018, removes red tape from barn conversions

A Great opportunity has been presented to allow developers, self builders, and owners of redundant Agricultural buildings to convert to dwellings - the new rules under revised Permitted development Class Q.

### Why Barn conversion?

Barn conversions can make great light and character filled homes, and also create small communities. There are a number of advantages to development as it strengthens our rural economy, and brings redundant and unloved buildings back to life. Barn conversions often sell for above average prices due to their rural nature and aspect.

There is also the ability to combine home with work, and live in tranquillity surrounded by nature. Today's Barn conversions often include measures to preserve and enhance the biodiversity of a site rather than detracting from bat and owl habitat's as they did in the 20th Century.



Overall they make great family homes, and therefore create huge opportunities for individuals and developers alike, to provide desirable property which more than returns on investment, and adds value to redundant sites.

It also represents a great way for landowners, and the farming community to release capital from an unloved and unrealised asset.

### The Facts:

Recent changes to government policy have been made to make the delivery of its' ambitious housing targets more likely. Generally, policy has focussed on new build and conversion of buildings in metropolitan areas, but now more emphasis is being placed on redevelopment of redundant buildings in our rural landscape.

Housing Minister at the time, Dominic Raab announced the changes stating: "we need to be more creative if we are to meet the housing needs of rural communities. That is why I'm changing the planning rules so rural communities have more flexibility on how best to use existing buildings to deliver more much needed homes for families. This is part of our comprehensive reform programme to build the "homes Britain needs".

Class Q permitted development rights to allow such conversions were first introduced in 2014, with a prior approval application to the Local Authority being needed to be approved. This should have been a simpler process for developers than full planning permission, but unfortunately the rules were not evenly interpreted or applied across different Local Planning Authorities. This resulted in many applications being unreasonably refused since the Government's guidance was poorly interpreted.

The rules have also now changed on the number of homes that may be created from an Agricultural units. In 2014 the rules allowed for conversion of up to 450m2 of buildings into a maximum of 3 dwellings. The size limit for 3 larger dwellings has been upped to a total of 465m2, but crucially this may now be split into 5 units with floor area of up to 100m2 each

(but no more than 465m2 in total).

The rules can be combined such that 3 dwellings larger than the 100m2 may be created with the remaining area being used to create smaller dwellings if needed. The clarification of Government guidance and intent with the 2018 revision should mean that these rights are more fairly and evenly applied across Local planning Authorities.

### The opportunity:

The 2018 revision offers a number of new options and greater opportunity for developers. In addition to creating high value desirable homes, It is also worth noting that homes approved by Class Q are not liable for Taxation under Community Infrastructure Levy, or Section 106 contributions. The creation of new dwellings from redundant buildings is also free of VAT provided the relevant rules are followed. Class Q offers a simpler form of application, and potentially a quicker route to development.

If I have the right to do this under Permitted Development why wouldn't my application succeed?

There are several reasons why a prior approval application may not succeed, here are a selection;

- The barn is listed, in an Area of Outstanding Natural Beauty, an SSSI, or National Park
- The building does not meet an agricultural use criteria, on or before the date of application
- It is not deemed to be structurally stable, and would take an unreasonable level of structural work to execute
- The location is deemed not to be environmentally sustainable
- You want to extend, extensions and increase in footprint are not permitted



This list is not exhaustive, as there are a number of other restrictions which are less likely to prevail, but cannot be detailed in a concise article. If in doubt always seek specialist advice.

### I own a redundant Agricultural Barn and am interested in converting it, what steps do I need to take?

There are a number of factors which will influence the viability of an application for a conversion under permitted development rights. These require careful consideration. The prior approval under Class Q rights certainly improves your chances, but does not guarantee success with a conversion. It may be that an application for Full Planning Permission or Listed Building Consent may be needed in your case, or a more advantageous approach. Contacting a suitably qualified professional with a detailed knowledge of the subject will manage the risk of getting things wrong, and enhance and optimize your chances of success.

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