

Appeal Decision

Site visit made on 29 November 2016

by Beverley Wilders BA (Hons) PgDurp MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 22 December 2016

Appeal Ref: APP/U2370/W/16/3158136

Barn to the rear of Peel House, Hornby Lane, Inskip, Preston, Lancashire PR4 0TX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under 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 Geoff Taylor against the decision of Wyre Borough Council.
 - The application Ref 16/00434/COUQ, dated 10 May 2016, was refused by notice dated 12 July 2016.
 - The development proposed is to create 1 No dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal is permitted development under Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO), having particular regard to the following:
 - Whether the site is used solely for an agricultural use as part of an established agricultural unit.

Reasons

3. Class Q(a) of the GPDO permits development consisting of a change of use of a building and any land within its curtilage from a use as an agricultural building to a use falling within Class C3 (dwellinghouses).
 4. Paragraph Q.1(a) of the GPDO states that development is not permitted by Class Q if the site was not used solely for an agricultural use as part of an established agricultural unit (i) on 20 March 2013, or (ii) in the case of a building which was in use before that date but was not in use on that date, when it was last in use.
 5. At the time of my visit the appeal building was being used for the storage of various items including hay, firewood, office furniture, insulation, animal feed, scaffolding poles, horse tack, pallets and plastic chairs. Though some of the items being stored could be said to be items used in connection with agriculture, others could not. Therefore having regard to the amount of non-
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agricultural items being stored in it, in my view the appeal building is not in use as an agricultural building but rather appears to me to be in use as a mixed use. Consequently the proposal fails to meet the requirements of Class Q of the GPDO and is not permitted development.

6. I note that in reaching its decision the Council's concerns appeared to focus on whether the wider use of the site is agricultural and whether the use is part of an established agricultural holding. However as I have found that the current use of the building is not agricultural there is no need for me to consider the evidence submitted regarding the wider use of the site or to provide a determination on the prior approval matters as this would not alter my decision.

Conclusion

7. For the above reasons and having regard to all matters raised, I conclude that the proposal is not permitted development and that the appeal should be dismissed.

Beverley Wilders

INSPECTOR