
Appeal Decision

Site visit made on 20 December 2016

by J C Clarke BSc(Hons) BTP MRTPI

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

Decision date: 9 January 2017

Appeal Ref: APP/P0240/W/16/3159811
Lane Farm, The Lane, Tebworth LU7 9QB

- 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.2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr Ian Sutton, Sutton Homes against the decision of Central Bedfordshire Council.
 - The application Ref CB/16/03399/PAAD, dated 21 July 2016, was refused by notice dated 15 September 2016.
 - The development proposed is Conversion of Agricultural Barn to a Dwellinghouse.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council's decision notice refers to the proposed development as being for a '...change of use...' of the building subject to appeal. It is, however, clear from the submitted details that the proposal also includes building operations. I have therefore treated it as being for development in both Classes Q(a) and Q(b) of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ('Class Q' of the 'GPDO'). My decision uses the description of development in the information submitted with the application as it is not given on the application form itself.
3. There is no evidence before me to suggest that the proposal would breach any of the limitations in paragraphs Q.1(a) to Q.1(m) inclusive of Class Q. This means that it can, in principle, constitute 'permitted development' provided the prior approval requirements in paragraph Q.2 are met. The concerns raised by the Council relate to matters set out in paragraph Q.2(1)(f), namely the design and external appearance of the building. Paragraph Q.2(1)(f) therefore forms the basis of my main issue.

Main Issue

4. The main issue is whether, having regard to their effect on the setting of the Tebworth Conservation Area (TCA), prior approval should be granted for the design or external appearance of the proposed conversion works.
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Reasons

5. The appeal building forms one of a group of farm buildings at Lane Farm, which is on the edge of the village of Tebworth, next to open countryside to its north and west. The TCA is focused on the core of the village. Whilst the appeal building is outside the TCA, other buildings within the same group are within it. Although the buildings within the group use different design styles and materials, including for example red brick, tile and thatch, date from different periods and include some modern buildings, several of them contribute positively to the character of the area. The group forms an important part of the setting of the TCA.
6. The appeal building itself forms a large agricultural barn, the walls of which comprise corrugated metal sheeting with concrete block plinths and two prominent roof arches. It is of a utilitarian modern design and is prominently seen alongside or in front of the existing farm complex in views from a substantial length of The Lane.
7. Under the GPDO procedures¹, applications such as that subject to appeal must be considered having regard to the National Planning Policy Framework (the 'Framework'), so far as this is relevant to the subject matter of the application. Paragraph 132 of the Framework states that, when considering the impact of a proposed development on the significance of a designated heritage asset (such as a Conservation Area) great weight should be given to the asset's conservation.
8. Under the Class Q procedures, the conversion of the building to a dwelling is acceptable in principle. Some changes to its external elevations would inevitably be needed to implement the rights granted under this Class. It would not be appropriate to withhold approval due to any scope which may exist to secure a comprehensive redevelopment of the whole group. The appeal proposal would, by demolishing one half of the building, substantially reduce the built form on the site.
9. However, the proposal to cut away two of the corners of the building to provide external terrace and balcony areas would complicate the current simple lines of the building. Three of the elevations, including those which are visible from The Lane would be visually dominated by glazing. Whilst the changes would provide a confidently expressed marker of the transition of the building to a new use, they would also appear rather incongruous in the context of the traditional form of many of the nearby buildings. These factors would all draw attention towards the building in views from The Lane.
10. Although large areas of glazing may often be used in conversions of agricultural buildings, for example to fill in existing void areas, this would not mean that the amount of glazing and other design changes proposed in this case would be acceptable.
11. Due to the effects of its design and external appearance on the setting of the TCA, I consider that the appeal proposal would cause harm, albeit less than substantial, to the significance of the TCA as a whole. Under paragraph 134 of the Framework, where a proposal would lead to such harm, this should be weighed against its public benefits.

¹ See paragraph W(10) of Schedule 2, Part 3 of the GPDO

12. The proposal would lead to the provision of an additional dwelling. Given the Government's aim of significantly boosting the supply of housing, this would constitute a notable benefit. However, it is not clear that an equivalent benefit could not be secured through a more sensitively designed scheme, which would draw less attention to the building. No other substantive public benefits would arise from the appeal proposal.
13. I note that, following the Council's refusal of approval for the appeal proposal, it has also refused approval for an alternative proposal with a different design. However, it is outside my remit to comment on the merits of that scheme and that decision does not affect my findings concerning the appeal proposal.

Conclusion

14. I have found that the design and external appearance of the appeal proposal would cause less than substantial harm to the significance of the TCA which would not be outweighed by its public benefits. I therefore dismiss the appeal.

Jonathan Clarke

INSPECTOR