



Appeal Decision

Site visit made on 14 June 2019

by Beverley Wilders BA (Hons) PgDurp MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st July 2019

Appeal Ref: APP/M0933/W/19/3225734

Spring Bank Farm, Spring Bank Road, Grange-over-Sands LA11 6HA

- 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 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr James Whitton against the decision of South Lakeland District Council.
 - The application Ref PN/2019/0008, dated 22 February 2019, was refused by notice dated 28 March 2019.
 - The development proposed is alteration to barn.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application for prior notification states that the proposal involves the alteration of a barn by the construction of timber York boarding over masonry for weather proofing purposes. The application follows an earlier prior notification for a lean-to extension to the barn (Ref PN/2018/0019). The appellant states that works to the lean-to extension have commenced and concurrent with those works, existing corrugated cladding was removed from the barn.
3. In determining that planning permission is required for the proposal, the Council expressed concern regarding the extent of works that appear to have taken place to the barn since the end of 2018 with original low walls and corrugated sheeting having been replaced by block walls and a number of roller shutter and personnel doors.
4. I have been provided with a number of photographs of the barn by the main parties and I inspected its current construction and appearance at my site visit.
5. Though I note the Council's concerns regarding the works that appear to have recently taken place to the barn, with the exception of any works involving the construction of timber York boarding, these works are not matters to be considered by me as part of this appeal. My understanding of the proposal is that it relates solely to the alteration of the barn by the construction of timber York boarding over masonry for weather proofing purposes and I have determined the appeal accordingly. Though I note that the Council's description of development also refers to the installation of new doors, it does

not appear that this description was formally agreed by the appellant or that the installation of the doors formed part of the proposal.

Main Issue

6. The main issue is whether the proposal is permitted development under Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015(GPDO), having particular regard to whether the proposed alterations have already been carried out

Reasons

7. As stated, the application form states that the proposal involves the alteration of the barn by the construction of timber York boarding over masonry for weather proofing purposes. No plans of the location of the proposed boarding were submitted with either the application or appeal and it is not clear from the written evidence where exactly the boarding would be constructed though it seems likely that all of the existing masonry walls would be covered in order to ensure that they are weather proofed.
8. At my site visit I saw that the external walls of the barn were enclosed with most being rendered. Although I did not observe large areas of boarding, there were some small sections of timber boarding towards the top of the long elevations of the barn. Though it seems from the evidence that the appellant's intention is to construct more extensive areas of boarding, nevertheless some boarding has already been constructed. Consequently, it appears to me that some of the proposed alterations have already been carried out.
9. Alterations permitted by Schedule 2, Part 6, Class A of the GPDO are subject to a number of conditions including that the developer must before beginning the development, apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the siting, design and external appearance of the building. One of the photographs submitted by the appellant dated January 2019 shows timber boarding on the barn as described above and pre-dates the application for prior notification dated 22 February 2019. Therefore, the conditions set out within paragraph A.2 of Part 6, Class A have not been met and the proposal is not permitted development.

Conclusion

10. 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