



Appeal Decision

Site visit made on 12 March 2020

by R Morgan MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 April 2020

Appeal Ref: APP/R1845/W/19/3243405

**Barn at Highfield Farm, Jennings Wood Lane, Bewdley, Worcestershire
DY12 2YQ**

- 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.
 - The appeal is made by Mr Andrew Jordan against the decision of Wyre Forest District Council.
 - The application Ref 19/3047/PNRES, dated 14 September 2019, was refused by notice dated 8 November 2019.
 - The development proposed is the change of use of an agricultural building to a dwellinghouse (Class C3).
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Decision

1. The appeal is allowed and prior approval is granted under the provisions of Article 3(1) and Schedule 2, Part 3, Class Q(b) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO) for the change of use of an agricultural building to a dwellinghouse at the Barn at Highfield Farm, Jennings Wood Lane, Bewdley, Worcestershire DY12 2YQ, in accordance with the details submitted pursuant to Article 3(1) and Schedule 2, Part 3, Paragraph Q.2 (1) of the GPDO through application Ref 19/3047/PNRES, dated 14 September 2019. The approval is subject to the condition that the development must be completed within a period of 3 years from the date of this decision in accordance with Paragraph Q.2 (3) of the GPDO and subject to the following additional condition:
 1. The development hereby permitted shall be carried out in accordance with drawing nos: 18-370-1; 18-370-2 rev P5; 18-370-3 rev P2 and 18-370-4.

Main Issues

2. The main issues are:
 - whether the building operations required to convert the building would fall within the provisions of paragraph Q.1. of Schedule 2, Part 3, Class Q of the GPDO, such that the proposal would be permitted development; and
 - If the proposal is permitted development under paragraph Q.1., whether the design and external appearance of the building would be acceptable.

Reasons

Extent of building operations necessary

3. Class Q(b) of the GPDO permits development consisting of a change of use of a building and any land within its curtilage from use as an agricultural building to a dwellinghouse, together with building operations reasonably necessary to convert the building. However, there are a number of circumstances where such development is not permitted, which are listed in paragraph Q.1.
4. Criterion (i)(i)(aa) of paragraph Q.1 excludes proposals from being permitted development where they would require building operations, other than the installation or replacement of windows, doors, roofs, or exterior walls, to the extent reasonably necessary for the building to function as a dwellinghouse.
5. In this case, the Council considers that the extent of work required to allow the building to function as a dwelling would go beyond that permitted under paragraph Q.1(i)(i)(aa). There is no disagreement that the proposal meets the other provisions of paragraph Q.1.
6. The appeal relates to a large metal framed agricultural building with two full length, open sided lean-to elements on either side of the building. The main part of the barn is formed of blockwork to the lower parts and corrugated metal sheeting on the upper parts of the walls. The roof is formed of asbestos panels.
7. The proposal involves the conversion of the main barn and the retention of both lean-to elements. A structural survey report was submitted with the application which concludes that the structures are in good condition and the building is capable of conversion. The structural survey report indicates that the steel frame and blockwork would require only limited, localised repair and replacement. Also, that the purlins and roof sheets are in good condition. Due to its asbestos construction, the roof would need to be replaced, but this would be necessary for the building to function as a dwellinghouse, and is therefore allowed under paragraph Q.1.(i)(i)(aa).
8. The structural survey notes that the metal cladding above the block work is in good condition although there are areas with indentations and damage. In its conclusions and recommendations, the structural survey assumed that all the sheeting would be replaced as part of the conversion. However, the surveyor has subsequently confirmed that the sheeting could be retained and repainted, with the need for replacement limited to the panel on the north west elevation which has some cosmetic damage. The surveyor has confirmed that the replacement of the metal sheets would not cause any structural issues.
9. Having regard to the findings of the structural survey and the subsequent clarification provided by the surveyor, I am satisfied that overall the works required to convert the building would not need to be excessive. A significant proportion of the existing building, including the steel frame, blockwork, purlins and much of the metal sheeting would be retained.
10. I note the planning officer's comments that the scheme would introduce a first floor structure and stairway together with insulation to the internal walls

and floor. However the Planning Practice Guidance¹ notes that internal works are not generally development, and that for the building to function as a dwelling it may be appropriate internal structural works, including to allow for the insertion of an upper floor or internal walls, which are not prohibited by Class Q.

11. The works required would therefore be within the scope of those reasonably necessary for the building to function as a dwellinghouse, and as such, the proposal would meet all the requirements of paragraph Q.1.

Design and external appearance

12. The proposal constitutes permitted development under Class Q(b), subject to the prior approval of certain matters which are listed in paragraph Q.2.(1) and include the design or external appearance of the building (criterion (f)).
13. The appearance of the building is functional, reflecting its agricultural origins and the history of its subsequent use. Other than the insertion of windows and doors in the main structure, minimal alterations are proposed to the external appearance of the building, so it would retain its agricultural character. This would be an appropriate design response in this context.
14. Minimal changes are proposed to the lean-to elements on both sides of the building, other than repair and repainting. On the side of the barn closest to the existing road access, the lean-to is covered by roof panels and the side walls are formed of blockwork with timber boarding above. This part of the building is proposed to be used as a car port. Its appearance would reflect its past and proposed function as an area for covered outdoor storage.
15. On the other side of the building, only the remnants of the former covered storage area remain, now consisting of the steel frame, hardstanding and a section of blockwork wall. The frame is proposed to be retained with minimal alteration. I acknowledge that it is not particularly attractive and would be an unusual feature in a domestic setting. However, it is already there and is part of the history of the building, and there is no clear justification for its removal.
16. I conclude that the design and external appearance of the building, which would strongly reflect its previous use, would be acceptable.

Conditions

17. Paragraph Q.2(3) of the GPDO specifies that development under Class Q(b) must be completed within a period of 3 years starting with the prior approval date. To ensure certainty and clarity, it is necessary to impose a condition setting out the approved plans.
18. The Council has not suggested any additional conditions and I agree that none are required. Information regarding non-mains drainage has been provided which the appellant has been made aware of.

¹ Paragraph 105 reference ID 13-105-20180615

Conclusion

19. For the reasons set out above, I conclude that the proposal constitutes permitted development. The appeal is allowed and prior approval is granted.

R Morgan

INSPECTOR