



Appeal Decision

Site visit made on 15 June 2020 by L Wilson BA (Hons) MA MRTPI

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 June 2020

Appeal Ref: APP/W3005/W/20/3244786

Whiteborough Farm Cottage, Chesterfield Road, Huthwaite NG17 2QJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr J Thompson against the decision of Ashfield District Council.
 - The application Ref V/2019/0247, dated 11 April 2019, was refused by notice dated 1 October 2019.
 - The development proposed is recladding of existing agricultural barn.
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Decision

1. The appeal is allowed and planning permission is granted for recladding of existing agricultural barn at Whiteborough Farm Cottage, Chesterfield Road, Huthwaite NG17 2QJ in accordance with the terms of the application, V/2019/0247, dated 11 April 2019, and the plans labelled Site Plan: Whiteborough Farm Cottage, Chesterfield Road, Huthwaite, Nottinghamshire, NG17 2QJ and 18-113-3.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Application for Costs

3. An application for costs was made by the appellant against the Council. This application is attached as a separate Decision.

Preliminary Matters

4. On the application form the appellant confirms that at the time of submitting the application the work had commenced and been completed. On my site visit I saw that the development had been carried out and I have considered the appeal on that basis.

Main Issue

5. Whether the proposal is an appropriate form of development in the countryside, having regard to relevant national and local planning policy.

Reasons for the Recommendation

6. A prior approval application was submitted to convert the barn into a dwelling under Class Q of The Town and Country Planning (General Permitted

- Development) (England) Order 2015¹. This prior approval application was subsequently withdrawn as the Council identified that the subject cladding had been added without planning permission.
7. Within the Council's costs response, they state that the building had been clad to enable the submission of the prior approval application and the appellant had claimed that the building was no longer required for agricultural purposes. The appeal proposal before me purely seeks to clad the barn rather than alter the use of the building and the requirements of Class Q are not relevant to the proposal before me.
 8. The two main parties dispute whether there is an agricultural enterprise running from the appeal site. Policy EV2 of the Ashfield Local Plan Review (2002) (LP) is relevant for development within the countryside. The policy states that permission will only be given for 'appropriate' development in the countryside and that development must be located and designed so as not to adversely affect the character of the countryside, in particular its openness. The policy then goes on to outline appropriate forms of development in subsections (a) to (h).
 9. The proposal relates to an existing agricultural building which was erected in the late 1980s. Whilst the Council disputes whether it is presently being used there is no indication that any material change of use has taken place and, even if the Council is correct in regard, the established use is an agricultural building. The current proposal does not involve any proposed change of use and criteria (a), (b), (c) and (e) are not relevant. Similarly, the proposal does not relate to a new building and criterion (d), which relates to new buildings is not relevant. The proposal is not infill development referred to in criterion (g) and is not in one of the villages referred to in criterion (h).
 10. As such, section (f) is relevant to the proposal which relates to alterations to existing agricultural buildings. The section does not require an applicant to demonstrate that the proposals are essential for agricultural purposes but requires an assessment of the form, bulk and design of the proposals on the character of the surroundings. In that respect, the Council's concerns about whether the building is presently being used have little bearing on compliance with policy EV2. Even if the building is not presently in use, which is disputed by the appellant, there is nothing within the policy that would prevent an application for alterations being made to facilitate a future use.
 11. The appellant maintains that the cladding is required to provide additional weather proofing for stock and equipment and that would appear to be reasonable given the form and function of the building. Consequently, providing that the appearance of the alterations are acceptable there is nothing within policy EV2 that would restrict the recladding of an existing building in the countryside.
 12. Policy NP1 of the Teversal, Stanton Hill and Skegby Neighbourhood Plan 2016-2031 (NP) also requires new development to respect the existing landscape character through high quality design. Paragraph 170 of the National Planning Policy Framework (the 'Framework') states that planning decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside.

¹ X/2019/0005

13. The barn consists of a steel structure, clad in corrugated sheet metal with a dual pitched roof. Previously the barn was open to the elements on all four sides along the lower elevations. The new cladding results in the barn being fully enclosed from floor to ceiling except for on the southern elevation where there is a large opening.
14. The cladding has not significantly altered the appearance of the barn as the proportion of cladding has not substantially increased. Undoubtedly the cladding has had an impact upon openness as the barn is now enclosed. However, the barn is well screened from public vantage points due to the cluster of buildings to the south of the site, mature vegetation and set back from Chesterfield Road. The new cladding is less visible and prominent than the original cladding because it is situated to the lower section of the barn. Thus, it has an extremely limited impact upon the openness of the countryside.
15. As the alterations are minor, the general form, bulk and design of the original building is maintained. The building still reads as an agricultural barn. The barn is not prominent within the countryside, due to the site being well concealed from wider public views, and the alterations are sympathetic to its surroundings. Consequently, the character and appearance of the countryside, including its openness, is maintained.
16. For these reasons, I find that the cladding is an appropriate form of development in the countryside, having regard to relevant national and local planning policy. Accordingly, the proposal does not conflict with Policy EV2 of the LP, Policy NP1 of the NP and the Framework. These Policies seek, amongst other matters, to ensure that the character of the countryside is preserved.

Conditions

17. Planning permission is sought retrospectively therefore no time limit for commencement is required.
18. The Council has suggested a condition to ensure that the permitted development shall facilitate agricultural purposes only. A new planning application would be required if the appellant wished to change the use of the building, therefore such a condition is not necessary.

Conclusion and Recommendation

19. For the reasons given above I recommend that the appeal should be allowed.

L M Wilson

APPEALS PLANNING OFFICER

Inspector's Decision

20. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I agree and conclude that the appeal should be allowed.

Chris Preston

INSPECTOR