



Appeal Decision

Site visit made on 11 January 2022

by Graham Wyatt BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd February 2022

Appeal Ref: APP/Y2620/W/20/3261001

Agricultural Building at Valley Farm, Wood Dalling Road, Corpusty NR11 6QW

- 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 & Country Planning (General Permitted Development)(England) Order 2015 (as amended).
 - The appeal is made by George Craig against the decision of North Norfolk District Council.
 - The application Ref PU/20/0398, dated 2 March 2020, was refused by notice dated 21 April 2020.
 - The development proposed is described as the “conversion of existing agricultural building, and land within its curtilage, to a single dwelling”.
-

Decision

1. The appeal is allowed and prior approval is deemed to be granted under the provisions of Article 3, Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the Order) for the conversion of existing agricultural building, and land within its curtilage, to a single dwelling t Valley Farm, Wood Dalling Road, Corpusty NR11 6QW in accordance with application Ref PU/20/0398, dated 2 March 2020 and the details submitted with it, including plan numbers PL-A1-01 (Existing Outbuildings Floor Plans and Elevations), PL-A1-02 (Proposed Conversion Floor Plans and Elevations), PL-A1-03 (Existing and Proposed Site Plan) and A4 Site Location Plan.

Preliminary Matters

2. Due to an administrative error regarding the spelling of the appellant’s email address, the Council accept that it did not notify the appellant of its determination to refuse this prior approval within the statutory period. Whilst I accept that this is an unfortunate error, having regard to the Order as amended, I must allow the appeal on the basis that prior approval is deemed to be granted. The development can lawfully proceed if constructed or carried out in accordance with the submitted plans, and subject to the conditions and limitations imposed on the planning permission granted by the Order.
3. The Local Planning Authority’s failure to refuse this prior approval within the statutory period means I am unable to address whether the proposal is permitted development, any questions of lawfulness or about the prior approval matters.

Conclusion

4. For the reasons given above, I conclude that the appeal should be allowed as prior approval is deemed to be granted in accordance with Article 3, Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Graham Wyatt

INSPECTOR