



Appeal Decision

Site visit made on 4 May 2022

by Samuel Watson BA (Hons) MSc MRTPI

An Inspector appointed by the Secretary of State

Decision date: 23 May 2022

Appeal Ref: APP/R0660/W/22/3291004

Hawksbill Hall, Hollyhurst Road, Wrenbury CW5 8HT

- 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 David Goodyear against the decision of Cheshire East Council.
 - The application Ref 21/5545N, dated 26 October 2021, was refused by notice dated 14 January 2022.
 - The development proposed is for prior approval for a change of use of agricultural buildings to dwellinghouses (Class C3).
-

Decision

1. The appeal is allowed, and prior approved is granted under the provisions of Article 3(1) and Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO) for the change of use of agricultural buildings to dwellinghouses (Class C3) at Hawksbill Hall, Hollyhurst Road, Wrenbury CW5 8HT, in accordance with the terms of the application 21/5545N, dated 26 October 2021. The application 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.

Main Issue

2. The main issue in this case is whether the proposed development would fall within the definition of development permitted by Schedule 2, Part 3, Class Q of the GPDO with specific regard to the extent of the proposed building operations.

Reasons

3. The barn is a long linear building with a low slung dual-pitched roof. From the evidence before me and my observations on site I find that it is structurally sound, and I noted that it was in use at the time of my site visit. Although I was unable to enter parts of the building due to current bird flu measures, I was able to see enough to suitably understand the building.
4. Although the internal height of the barn's eaves was relatively low, this was not to such an extent, given the pitch of the roof, that it significantly affected the usability of the barn as a whole. Notably, myself and the workers within the barn were able to stand upright, with the vast majority of the barn significantly above head height. I do not find that the low eaves preclude the building from functioning as a dwelling and therefore, mindful of the above and Paragraph

105 of the Planning Practice Guidance (PPG), I find that the building would be suitable for conversion to a residential use.

5. Paragraph Q.1 (i) (i-ii) sets out the building operations allowed where a building is found to be suitable for conversion. These operations include the installation or replacement of windows, doors, roofs, exterior walls or services to the extent reasonably necessary for the building to function as a dwellinghouse. Partial demolition is also allowed where it would be to the extent reasonably necessary to carry out the building operations outlined above.
6. The works proposed as part of this scheme are covered by those listed above, this would include those operations needed to create the verandas. Whilst the verandas stem from the low eaves and increased floor height, this does not mean the works are not reasonably necessary as I have concluded that the building could function as a dwellinghouse.
7. As such, whilst the works would cumulatively be significant, this would not be to such an extent that they could be said to be tantamount to a rebuilding or new build. Therefore, as the building is suitable for conversion, I find that the works would be reasonably necessary.
8. Mindful of the PPG, I am satisfied that the structural integrity and internal dimensions of the barn are suitable and that the existing barn would form an integral part of the new dwelling. The building operations, while significant would be reasonably necessary in this instance and would not exceed the limitations set out in Paragraph Q.1 (i) of the GPDO.

Conclusion

9. For the reasons given above, I conclude that the appeal should be allowed, and approval granted.

Samuel Watson

INSPECTOR