



Appeal Decision

Site visit made on 26 February 2024

by J Pearce MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 March 2024

Appeal Ref: APP/H0520/W/23/3329515

Holme Lode Farm, Agricultural Buildings, Holme Fen, Holme PE7 3PR

- 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 Holme Lode Farms against the decision of Huntingdonshire District Council.
 - The application Ref 22/01735/FUL, dated 10 August 2022, was refused by notice dated 17 March 2023.
 - The development proposed is the change of use and alteration of barn to form two dwellings.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The works to change the use of the building have been completed, although there are additions to either end of the building that are not shown on the submitted drawings. For the avoidance of doubt, I shall make my decision against the plans submitted with the application and as listed on the decision notice.

Main Issues

3. The main issues are:
 - whether the building was capable of conversion to residential use;
 - whether the site is an appropriate location for the proposed development having regard to the development strategy, and the effect of the development on the character and appearance of the area; and
 - whether the proposal is in a suitable location with regard to flood risk.

Reasons

Suitable for conversion

4. The appeal site is adjacent to a large farmyard, set back from Holme Lode. The site comprises a building that had previously been used for agricultural purposes. It is not in dispute that the appeal site is in the countryside for the purposes of the development plan. The proposal is for the retention of the two dwellings at the site.
5. Policy LP33 of the Huntingdonshire Local Plan (2019) (HLP) supports the conversion of buildings in the countryside, subject to criteria requiring that the

building is redundant or disused, of permanent and substantial construction, not in such a state of dereliction or disrepair that significant reconstruction would be required and structurally capable of being converted for the proposed use.

6. Prior to the works being carried out, the building comprised a steel framed structure, which was open-sided on two elevations. The remaining two elevations and the roof were finished with corrugated sheeting. Two reports have been provided following structural inspections of the building. The reports indicate that the principle structural elements of the building were satisfactory. However, the reports do not provide information on the structural implications of the development and whether the building was structurally capable for conversion. The evidence within the reports is limited in respect of the extent of works carried out.
7. On the evidence before me, the works included the removal of the cladding to the two elevations and the replacement of the roof cladding. The steel frame, floor and footing have been retained with blockwork walls constructed between the frame to enclose the building, including on the previously open sides. The walls have been finished with horizontal cladding. Windows and doors have been inserted into the front and rear elevations.
8. Although the steel frame and floor has been retained, the extent of the alterations to the building to facilitate the change of use is substantial. Given the quantum of works, I am not persuaded that the building was structurally capable of being converted and the development carried out is beyond what can reasonably be regarded as a conversion within the terms of Policy LP33 of the HLP.
9. I conclude that the building was not suitable for conversion to a residential use. The scheme therefore conflicts with Policy LP33 of the HLP, which supports the conversion of rural buildings of substantial construction that are capable of being converted for the proposed use.

Suitable location and character and appearance

10. The nearest settlement to the site is Holme, which is categorised as a 'small settlement' within the HLP. Holme does not have a defined settlement boundary, however the HLP provides a definition of what is considered to be a built-up area as being a distinct group of 30 or more homes. Land which relates more to the group of buildings rather than to the surrounding countryside is also considered to form part of the built-up area.
11. The built-up area of Holme is primarily focussed on development between Station Road, Church Street and Short Drove. The site is physically separated from Holme by intervening features such as the railway line and Holme Fen. Furthermore, the site is remote from the settlement given the significant distance from Holme.
12. The site's isolated location, detached from the nearest settlement discourages occupants from accessing everyday facilities and services by sustainable means of transport. The narrow, unlit roads and the lack of public transport services results in occupiers being reliant on private vehicles to access facilities and services in larger settlements. Accordingly, the development results in isolated dwellings, which the Framework seeks to avoid. Moreover, the development is

not on land well-related to the built-up area and therefore conflicts with Policy LP9 of the HLP.

13. The building is set back from Holme Lode adjacent to a farmyard comprising larger agricultural buildings. The building has retained the form and scale of the former building at the site. However, the development has an overtly domestic appearance, which jars with the agricultural character of the wider farmyard and the surrounding open landscape. Although the building's position away from the road reduces the visual effect of the development, the residential use and associated domestic paraphernalia erodes the rural character of the area.
14. I conclude that the site is not a suitable location for the development and harms the character and appearance of the area. The development therefore conflicts with Policies LP2, LP9, LP10, LP11, LP12, LP20 and LP33 of the HLP, which collectively require recognition of the intrinsic character and beauty of the countryside and require proposals to enhance their immediate setting.

Flood risk

15. The parties agree that the appeal site is within Flood Zone 3. Paragraph 165 of the Framework advises that inappropriate development in areas at risk of flooding should be avoided, by directing development away from areas of highest risk.
16. Paragraph 174 of the Framework advises, among other things, that applications for some minor development should not be subject to the sequential test and the exceptions are listed in footnote 60 of the Framework, which includes changes of use.
17. The development was described as a change of use, however the amount of works carried out to create the two dwellings is in excess of what could be described as a conversion. Consequently, it is a new building that does not comprise a change of use. Therefore, it does not meet the exceptions listed within footnote 60 of the Framework and a sequential test is required.
18. The Planning Practice Guidance is clear and advises that even where a flood risk assessment shows the development can be made safe throughout its lifetime without increasing risk elsewhere, the sequential test still needs to be satisfied. In the absence of such, it cannot be safely concluded that there are no other sites for the proposed development which are at lower risk of flooding.
19. I conclude that the development is not in a suitable location with regard to flood risk. The development therefore conflicts with Policies LP5 and LP15 of the HLP, the Cambridgeshire Flood and Water Supplementary Planning Document (2017) and the Framework, which collectively seek to consider surface water and address all forms of flood risk.

Other Matter

20. The Council's fourth reason for refusal relates to the effect of the proposal on highway safety. However, this does not accurately reflect the Local Highway Authority's (LHA) concerns in this regard. The LHA considered that the location is not suitable in respect of its accessibility for sustainable modes of transport but noted that the development would be acceptable subject to the conditions provided. I see no reason to disagree and note that the site has a separate

access to the rest of the farmyard. Consequently, the development does not give rise to any significant highway safety issues.

Conclusion

21. The proposal would not accord with the development plan as a whole. The material considerations do not indicate that a decision should be made otherwise than in accordance with the development plan. For the reasons given above I conclude that the appeal should be dismissed.

J Pearce

INSPECTOR