



Appeal Decision

Site visit made on 27 January 2025

by **L Clark BA(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 25 March 2025

Appeal Ref: APP/P2935/W/24/3354018

Stublic Hill (off B6304), Langley on Tyne, Northumberland NE47 5LG

Grid References Easting: 384837, Northing: 561004

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Trustees of JJ Straker against the decision of Northumberland County Council.
- The application Ref is 23/03075/FUL.
- The development proposed is operational development to convert the Dutch barn into a guest house following the change of use to a guest house via Class R.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of the proposed development in the banner heading above is taken from the application form. I have, however, removed the superfluous wording 'The proposal seeks to carry out the' to ensure a more concise form of words. I have also removed the words 'Stublick to Branchend' from the address as this does not appear to be the formal road name and added the grid reference from the application form for completeness, as they locate the site as shown on the submitted drawings, which is accessed from the B6304.
3. The National Planning Policy Framework (the Framework) was revised in December 2024, with further minor updates in February 2025. As the changes do not materially affect the main issues in this case, the parties have not been invited to make further comments.
4. At the time of my site visit, the barn was partially fenced off and access into it was obstructed by debris. Whilst I did not access the barn, I was able to inspect it externally and see internally through the openings. I am satisfied that I was able to see everything I needed to determine the appeal.
5. On 22 November 2023 all areas in England and Wales designated as an Area of Outstanding Natural Beauty (AONB) were retitled National Landscapes (NL). As there has been no change to the legal designation and policy status of these areas, I have nevertheless replaced the reference to the North Pennines AONB with the North Pennines NL (NPNL) in my decision to reflect this change. Section 245 of the Levelling Up and Regeneration Act 2023 places a duty upon me to seek to further the statutory purpose of NL, which is to conserve and enhance its natural beauty.

Background and Main Issues

6. In 2023 a prior approval application Ref 23/00133/CLASSR was approved to convert the appeal site (the barn) from an agricultural building to a flexible commercial use under Class R¹. The Council found that the Class R change of use did not require prior approval and, as such, the barn benefits from planning permission granted under the permitted development rights of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
7. Class R prior approval does not permit any operational development associated with the change of use. Consequently, changes to the external appearance of the building require express planning permission. Hence, the appeal before me, which proposed to make alterations to the external appearance of the barn to facilitate its conversion.
8. In the first reason for refusal, the Council contends that the totality of the proposed works would amount to the construction of a new building. However, the only requirement of Class R in respect of buildings that do not exceed 150 square metres (as set out in paragraph R.3(1)(a)), is to provide information to the local planning authority related to the date the use will begin, the nature of the use and a plan indicating the site and the buildings. There are no further provisions or requirements in respect of 'associated operational development', or what would constitute 'reasonably necessary', associated with such changes of use. Given the description of development does not refer to the provision of a new building, but rather the conversion of the existing building, the appellant must satisfy themselves that the barn can withstand the proposed development. Should the building be demolished, and a new one erected, this would be a matter for the Council and the appellant to resolve. I have therefore assessed the proposal on the basis that it comprises of operational development related to the conversion of the existing building.
9. Therefore, the main issue of this appeal is the effect of the proposed development on the character and appearance of the surrounding area, including the NPNL.

Reasons

10. The appeal site is located within the NPNL. Its surrounding area is characterised predominantly by rural countryside interspersed with sporadic built development. Paragraph 189 of the Framework states, amongst other matters, that great weight should be given to conserving and enhancing landscape and scenic beauty in NL which have the highest status of protection in relation to these issues.
11. Policy ENV 6 of the Northumberland Local Plan 2016-2036 (Local Plan) relates specifically to development within the NPNL and sets out a list of its special qualities which are to be taken into account. Of these, the relevant criteria include: the openness of the landscape and its sensitivity to development; inter-visibility between the AONB and areas to its north and east, and a sense of remoteness, wildness, tranquillity and dark skies. Policy QOP 1 of the Local Plan relates to design principles. Whilst strategic in nature, it seeks, amongst other matters, for

¹ Part 3, Schedule 2, Class R of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

development to make a positive contribution to local character and distinctiveness, and respect and enhance any landscape setting.

12. The barn is situated to the north of a traditional stone farmhouse. The north elevation of the farmhouse is predominantly blank and contains two doorways and two small windows at the lower level, and appears utilitarian compared to its south elevation. The barn is a rudimentary corrugated steel-clad construction with a curved roof. It has a limited number of openings with solid panels to the east and west elevations and a single doorway opening to the north. There are clear views of the site along the B6034, from which the buildings are experienced predominantly in isolation and against a distinctly rural backdrop of moorland ridges and a broad skyline. Its proximity to the farmhouse, together with the open aspect of the appeal site and its surroundings results in the north, east and western elevations being clearly visible.
13. The proposed development would introduce a series of windows and doors into the elevations. The majority of the windows would be tall and narrow, extending approximately from floor to ceiling and would be predominantly inserted within the north elevation. Doors and a number of similar windows would also be inserted to each end elevation (east and west).
14. I acknowledge that there would be no changes to the external dimensions of the barn and the proposed development would consist of similar external materials. However, the insertion of a significant number of mostly tall and narrow windows, particularly to the north, east and west elevations would change its character from a simple agricultural building to a residential form. Given the prominence of the barn and lack of screening, the proposed punctuations within the predominantly solid exterior would exacerbate its height when viewed alongside the predominantly blank elevation of the farmhouse. As a result, the barn would appear discordant to the current agricultural use and discernible in its context. This would be especially so when viewed from the road and in longer-range views during the hours of darkness when the elevations would be illuminated.
15. Whilst the use approved under application 23/00133/CLASSR would likely require a degree of light, it has not been demonstrated that the overall number of windows or doors proposed are the minimum required for natural light into the building, or that similar lighting could not be achieved by another means. Consequently, I am not convinced that there are no other design solutions regarding fenestration that would be less harmful to the character and appearance of the landscape or the NPNL.
16. For the above reasons, I conclude that the proposal would fail to safeguard the character and appearance of the surrounding area and special qualities of the NPNL. Accordingly, there would be conflict with Policies ENV 6 and QOP 1 of the Local Plan which collectively seek to ensure that the special qualities of the NPNL are conserved. The proposal would also conflict with the requirements of the Framework, insofar as it requires development to protect and enhance valued landscapes and recognise the intrinsic character and beauty of the countryside.

Other Matters

17. The presence of two Officer Reports is undoubtedly confusing to the appellant and any interested party. From a comparison, however, the content is broadly consistent and the reasons for refusal are the same. This matter is therefore not

considered to be determinative in my assessment. Whilst I note the appellant's comments regarding the way the Council handled the application, these matters do not go to the planning merits of the case. Furthermore, while I note that the appellant refers to an award of costs in their submission, no formal application has been received.

18. The presence of a lawful development certificate Ref 22/02683/CLPROP relating to the farmhouse is not determinative in respect of this appeal.
19. The appellant has drawn my attention to appeal Ref APP/F1610/W/17/3188502 with regard to the capability of the building to withstand its conversion. However, for the reasons set out above, it is not required for me to consider this matter further.
20. The lack of formal consultee comments from the NPNL Partnership, and lack of objection from the Council's Ecology and Highways sections do not render the scheme acceptable.
21. Whilst the proposed use as a guest house would support the tourism aims of the Council, matters of demand /need for tourist accommodation fall outside the scope of this proposal and do not outweigh the harm.

Conclusion

22. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided upon other than in accordance with it.
23. For the reasons given above, I conclude that the appeal should be dismissed.

L Clark

INSPECTOR