



Appeal Decision

Site visit made on 9 January 2026

by Alison Scott (BA Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th February 2026

Appeal Ref: APP/P2935/W/25/3374734

Horncastle Farm, Access from A696 to Horncastle, Kirkwhelpington, Northumberland NE19 2RA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant [outline] planning permission.
 - The appeal is made by Mr D Mulholland against the decision of Northumberland County Council.
 - The application Ref is 25/00846/AGTRES.
 - The development proposed is Notification of Prior Approval for change of use from agricultural building to residential.
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Decision

1. The appeal is dismissed.

Procedural and Preliminary Matters

2. This appeal relates to Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO). Class Q (a) permits development consisting of a change of use of a building and any land within its curtilage from use as an agricultural building to a use falling within Class 3 (dwellinghouses) of the Schedule to the Use Classes Order¹. Class Q (b) permits development referred to in paragraph (a) together with building operations reasonably necessary to convert the building referred to in paragraph (a) to a use falling within Class C3 (dwellinghouses) of that Schedule.
3. The appeal relates to three agricultural barns at Horncastle Farm that the appellant intends to convert to residential use. The three barns are referred to by the parties as Middle Barn, Bottom Barn and Garage. According to the appellant's evidence, they are all around 100sqm in size or slightly less.
4. The barns are situated in a typical historic farmyard arrangement all centred together and close to the farmhouse. Another barn entitled Cottage is located close to these buildings although is not subject to this appeal. There is no defining curtilage to any of these buildings as they share the same open courtyard area.
5. Floor plans of each barn were submitted by the appellant at appeal and after the original application for planning permission. This lack of information formed reason for refusal Number 2 within the Council's decision notice. I have taken these into account as part of my decision-making process. As such, accepting this information to my mind would not prejudice either parties or any interested parties.
6. In the interest of conciseness, I have taken the application description from the Council's decision notice and transferred this to my banner heading.

Main Issue

7. The main issue is whether the proposal would fall within the limitations for it to be Permitted Development under Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Reasons

Curtilage

8. For the purposes of development allowed under Class Q (a) Paragraph X of the Order is also relevant. The definition given in Paragraph X is that “curtilage” means the piece of land, whether enclosed or unenclosed, immediately beside or around the agricultural building, closely associated with and serving the purposes of the agricultural building, or; an area of land immediately beside or around the agricultural building no larger than the land area occupied by the agricultural building, whichever is the lesser. “Site” means any building and the land within its curtilage.
9. The appellant has amended the site location plan at the request of the Council. The appellant’s submitted Planning Statement explains that each barn *‘is to be served by a private outdoor amenity garden space within the curtilage of the barns and each garden area is to be self-contained via boundaries affording privacy and screening to each residential dwelling.’*
10. The area of land indicated with a red edge on the appeal site plan and the proposed floor plan would be able to meet the definition of curtilage within Paragraph X, However when considering the area of land immediately beside or around the agricultural building should be no larger than the land area occupied by the agricultural building, the area indicated within the drawing suggests to me it is larger than the land occupied by the barns.
11. Therefore, it would sit outside the limitations of Class Q,

Whether or not the works undertaken constitutes development

12. The Planning Practice Guidance states that the Class Q right assumes that the agricultural building is capable of conversion to a dwelling. In this case, the Council disputes works that have been undertaken at the site claiming this to be operational development to convert the barns into residential use.
13. All three barns are built from traditional sandstone with small openings and arched doorways apart from the garage building with its large metal roller shutter doors. The barns and the farmhouse reflect the rural vernacular of the Northumberland countryside, and the barns appeared to retain significant historic character.
14. From my site inspection, there was little evidence of openings within the barns that did not appear historical, and even if some glazing was inserted into the ventilation slits of one barn, this is a small change that allows the barn to be watertight. Even when upv doors and windows has been installed to existing openings, these are limited and I would classify this more modern intervention as repairs to the barns.
15. Internally the majority of the walls are unfinished with exposed sandstone, and flooring consists of solid stone or concrete material. The internal integrity of the

timber roofs was exposed with the ridge board, rafters and ceiling joints all visible and supported by the external walls. These all appeared to be historical with no evidence of works already undertaken in advance of domestic conversion. The appellant described the required works reasonably necessary to convert the barns and this had not taken place.

16. No structural survey has been submitted with the appeal and the appellant explains that the works required to convert the barns include the installation of internal partition walls, wall seals and wall insulation. No evidence of these works commencing was apparent and although modern electricals were observed from within these barns, these did not resemble anything other than electricals reasonably necessary for the barns to function as an agricultural building. Externally some repointing of the walls was present, and I could see that drainage and foul channels had been excavated and laid with modern pipework. I would not classify the extent of this to be operational development.
17. Overall, there was no overwhelming evidence on the ground, of operations having begun to convert the barns. To my mind what has occurred are nothing more than repairs to the agricultural barns. I am not of the view that these things demonstrate operational development which goes beyond that which is Permitted Development and there is no substantive evidence before me to conclude otherwise.

Missing floor plans for barns

18. The appellant has submitted floor plans for each barn to accompany the appeal including existing and proposed plans. There would be internal alterations required to subdivide the spaces for habitation. Although the Council have included this as a reason for refusal, as I am dismissing the appeal on other grounds, there is no requirement for me to explore these matters any further.

Conclusion

19. Whilst I have not found no conversion to residential has taken place, I have found that the extent of curtilage prevents the proposal from being Permitted Development. On that basis the proposal is not Permitted Development under Class Q.
20. For the reasons given above, the appeal is dismissed.

Alison Scott

INSPECTOR