



Appeal Decision

Site visit made on 4 January 2022

by **Alison Partington BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24th January 2022

Appeal Ref: APP/T2350/W/21/3277893

Alston Old Hall Farm, Alston Lane, Longridge, PR3 3BN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under 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 appeal is made by Mrs Mary Patricia Hewitt against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2021/0141, dated 8 February 2021, was refused by notice dated 31 March 2021.
 - The development proposed is the change of use of an agricultural building to 5 dwellings under class Q (a) and (b).
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Mrs Mary Patricia Hewitt against Ribble Valley Borough Council. This application is the subject of a separate Decision.

Background and Main Issues

3. The appeal relates to an application for the change of use of an agricultural building and associated operations under Paragraphs Q (a) and Q (b) of the *Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)* (GPDO). There is no dispute between the main parties with regard to the compliance of the scheme with paragraphs Q.1 (a), (c) to (h) and (j) to (m), and with paragraph Q.2 (a) to (e) and (g). Based on the evidence before me and observations I made at my site visit, I have no reason to take a different view in terms of compliance with these particular paragraphs. The focus of my determination of the appeal has been the main areas of difference between the parties, namely paragraph Q.1.(i) and paragraph Q.2 (f).
4. Therefore, the main issues in the appeal are:
 - whether the proposal would be permitted development under Schedule 2, Part 3, Class Q of the GPDO, with particular reference to the extent of the building works; and
 - if the proposal is permitted development, the effect of the proposal on the design and external appearance of the building.

Reasons

Whether permitted development

5. The agricultural building that is the subject of the appeal is a relatively modern large steel portal frame building. At the time of my site visit it was being used mainly for agricultural storage. Three of the 4 sides are enclosed with the fourth largely being open. The walls comprise concrete block with timber boarding above. The roof consists of corrugated cement sheets with rooflights and the floor is concrete.
6. It is proposed to convert the building to create one large and 4 smaller dwellings set over two floors, together with car parking and a garden area for each property. Paragraph Q.1.(i) indicates that building operations, other than the installation or replacement of windows, doors, roofs or exterior walls to the extent necessary for the building to function as a dwelling house are not permitted.
7. The appellant has provided a Structural Condition Survey (SCS) and from what I saw on my site visit, I concur with its conclusion that the existing structure is in good condition.
8. The plans provided and the SCS indicate that the building is capable of conversion to residential accommodation. The survey confirms that the steel frame, and existing floor, foundations and external walls would all be retained, and rebuilding of the existing external structure would not be necessary, albeit that some minor repairs are needed. The existing roof is also in good condition and could be retained, although it is proposed to replace it.
9. As a result, the works required to create the dwellings would consist of the installation of new windows and doors; new block work and cladding to close the western elevation; replacing the roof with alternative roofing materials; installing an insulated flooring layer on top of the existing floor slab; and creating a new internal skin, independent of the external steel structure to form an insulated cavity and internal walls.
10. The Planning Practice Guidance¹ indicates that internal works are not generally development and that for the building to function as a dwelling it may be appropriate to undertake internal works including internal walls which are not prohibited by Class Q. Thus, the proposed internal works would not fall outside of the building works allowed by the GPDO.
11. The SCS indicates that further investigations of the existing floor would be necessary to assess whether the internal loadbearing walls can be built directly off it or whether new foundations would be necessary. The installation of new foundations is not included in the list of permitted operations set out in paragraph Q.1(i). However, at appeal stage evidence from the structural engineer confirmed that any strengthening needed for the internal structure would be incorporated into the insulated floor slab.
12. As highlighted above, although the roof is in good condition, the plans show it being replaced with a slate roof. The SCS states that as this roofing material would be heavier an assessment would be necessary to ascertain whether the existing steel frame would be strong enough. However, it is stated that should

¹ Paragraph: 105 Reference ID: 13-105-20180615

the frame not be strong enough an alternative roofing material would be used rather than strengthening work being undertaken.

13. Overall, in my opinion the nature of the external works required to convert the building would comply with the specified works in paragraph Q.1.(i) of the GPDO. The works are reasonably necessary for a residential conversion and the cumulative works would not constitute rebuilding so as to fall beyond the scope of a conversion permitted under Class Q.
14. Consequently, I consider that the works to the agricultural building are reasonably necessary for it to function as a dwelling house and thus the scheme amounts to permitted development under Class Q.
15. The Council's delegated report does at one point question whether the floorspace of the larger dwelling would comply with the requirements of paragraph Q.1(b), as they were unclear as to whether the "void" areas on the upper level would have a floor or not. However, in a later paragraph the report states that the floor area of the larger dwelling would not exceed 465 sqm. Moreover, a lack of conformity with this paragraph was not given as a reason for refusal. The plans do not show any access to these areas and the appellant has confirmed that they would not have a mezzanine floor and so the total floorspace of this dwelling would not exceed 465 sqm. As such, I am satisfied the proposal would not be contrary to this paragraph.

Effect of the proposal on design and external appearance of the building

16. The design, materials and appearance of the host building is typical of a modern agricultural barn. Apart from the large open element on the western elevation, it has no other openings. As highlighted above, the proposal would retain the existing block work and timber cladding on the external walls, and would utilise similar materials on the western elevation to close the existing opening. However, the proposed use of slate on the new roof, would not reflect materials typically found on modern agricultural buildings and so would be an unsympathetic addition.
17. Within the north and south elevations five full height, wide glazed openings would be created. As a result, these elevations which are currently solid, would only have narrow columns of solid material between each large opening. Whilst agricultural buildings generally have a large opening on one elevation, as in the current west elevation, the creation of 5 large separate openings on the two largest elevations would not respect the high solid to void ratio that characterises agricultural buildings. Moreover, although recessed, the size and regularity of these openings means they would not resemble agricultural openings. As such, the proposal would not retain or reflect the agricultural character of the building.
18. It is suggested that the size of the windows would ensure adequate light to each dwelling and avoid the use of rooflights. However, clear roof panels are regularly found on modern agricultural barns, including the host building. Furthermore, in support of the appeal my attention has been drawn to some other appeals where it is stated large windows were considered acceptable. As only two of these have plans provided it is difficult to compare them with the proposal. However, in these the windows are much smaller than proposed in this appeal scheme. In addition, in these other cases the largest windows often reflect existing openings, which is not the case here.

19. Overall, I consider that the proposal would unacceptably harm the design and the external appearance of the building. Accordingly, I consider it would conflict with the requirements of paragraph Q.2(f) of the GPDO.

Conclusion

20. Although I have concluded the proposal would be permitted development, it would unacceptably harm the design and external appearance of the building and so would conflict with the requirements of paragraph Q.2(f) of the GPDO.

21. For the reasons set out above, I conclude the appeal should be dismissed.

Alison Partington

INSPECTOR