



ALSTON OLD HALL FARM, ALSTON, PR3 3BN

Prior Notification : Change of Use of Agricultural Building to
5no. Dwellings

APPEAL STATEMENT

JUNE 2021



PWA Planning is a trading name of Paul Walton Associates Ltd.
Registered in England and Wales no. 8605706. Registered Address:
316 Blackpool Road, Fulwood, Preston PR2 3AE

2 Lockside Office Park
Lockside Road
Preston
PR2 2YS

01772 369 669
info@pwaplanning.co.uk
www.pwaplanning.co.uk

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Primary Author:	Rachael Leather	Initialled:	RL
Contributor:		Initialled:	
Reviewer:	Paul Walton	Initialled:	PW

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Appendix A – Addendum to Structural Condition Survey

Appeal supporting documents are contained within a separate bundle.

/1 INTRODUCTION

- 1.1. PWA Planning is retained by Mrs Mary Hewitt ('the appellant'), to appeal against the decision of the Ribble Valley Borough Council ('the Council' or 'the LPA') to refuse to grant prior approval in respect of a prior notification application for the change of use of an agricultural building to 5no. dwellinghouses ('the proposed development') at Alston Old Hall, Alston Lane, Alston, Preston PR3 3BN ('the application site') made under Schedule 2, Part 3, Class Q (a) and (b) of The Town and Country Planning (General Permitted Development) (England) Order (GPDO) 2015. The application was made valid on 9th February 2021 and allocated reference number **3/2021/0141**. It was refused by notice dated 31st March 2021.

- 1.2. The appeal is made under Section 78 of the Town and Country Planning Act 1990, and this statement along with the other documents referred to herein, makes up the full particulars of the case for the appellant in accordance with Annexe J of the latest Planning Appeals Procedural Guidance¹. It should be read in conjunction with the other submitted documents and drawings that formed part of the original application (application supporting documents) along with those which support the appeal (appeal supporting documents). The appeal supporting documents are bundled together as a separate document and referenced accordingly.

- 1.3. Through its decision notice, the LPA asserts that the works to convert the building go beyond what is 'reasonably necessary' to change the use of the building, and that the design of the proposals is inappropriate in this location. In essence these amount to two separate reasons for refusal and the reasoning and the appellant's rebuttal to these assertions is explored in Section 3 of this appeal statement.

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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/980250/Procedural_Guide_Planning_appeals_version_14.pdf

/2 SITE DESCRIPTION & PROPOSED DEVELOPMENT

2.1. A full description of the site and the proposed development is provided in the submitted Planning Statement and the supporting plans. A summary is provided below:

The Site

2.2. The application site comprises of an agricultural building and its immediate curtilage, which itself forms part of Alston Old Hall, which comprises a dwelling, a single storey workshop building and a large traditional barn, all of which are arranged around a courtyard. The subject building is located to the north east of the main grouping of buildings and closer to Alston Lane (as illustrated in Figure 1 below).

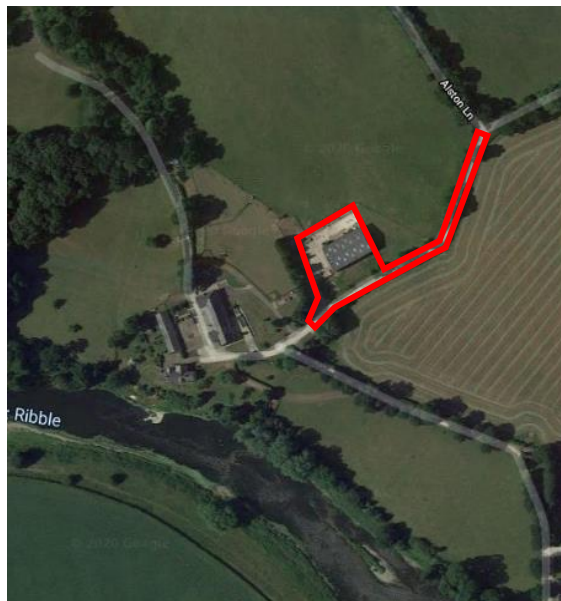


Figure 1: Aerial image of the site | © Google Earth

2.3. Until April 2021 the farm was an active sheep enterprise with a flock of 400 sheep farmed by the proprietor. The building sits centrally along the eastern boundary of the site. A grassed paddock is located within the site directly to the southeast of the building and a yard area is located to the north and west of the barn. The site is located to the southwest of Alston Lane, from which a private road provides access to this agricultural building and wider farmstead.

2.4. The surrounding area is characterised by agricultural land and farmsteads. The nearest larger settlements are Grimsargh and Longridge which are located approximately 4km to the north.

The Building

2.5. The subject building is of steel framed construction with elevations consisting of lower concrete block walls with timber cladding to the upper sections. The western elevation of the building is largely open, with no openings to the remaining elevations. Internally, the building has an existing concrete floor. The pitched, timber-purlin roof is covered with corrugated cement sheet roofing, with rooflights present. The existing building is served by modern guttering and other rainwater goods.

The Proposed Development

2.6. In accordance with the permitted development rights provided for under Schedule 2, Part 3, Class Q (a) and (b) of The Town and Country Planning (General Permitted Development) (England) Order (GPDO) 2015, it is proposed to convert the building to provide five self-contained dwellings, together with an associated area of landscaping (garden) together with parking arrangements to support the new homes.

2.7. The proposed schedule of the accommodation is indicated in the table below:

Unit	GIA	Garden/Curtilage	Bedrooms	Parking no.
1	465	336	4	3
2	90	56	2	2
3	88	56	2	2
4	88	56	2	2
5	90	56	2	2

Table 1.2 – Schedule of Accommodation

2.8. The proposed development would provide a single large four-bedroom dwelling and four separate two-bedroom dwellings. The dwellings would be set over two-storeys.

The key elements of the building, including the steel frame and lower concrete blockwork plinth, the existing timber cladding as well as the concrete floor of the existing building would be retained. New blockwork and timber cladding would be created where the open side of the building is at present. The existing corrugated cement roof covering would be replaced with a new slate roof covering. Five openings would be introduced to both the north and south elevations of the building, to allow both access to the dwellings and to provide natural light. The openings would be recessed and within would be set aluminium framed glazing units. Three smaller new openings would be provided to the east elevation of the building. No new openings are proposed to the west elevation. New internal walls would be provided to create the individual dwellings and living accommodation.

- 2.9. The proposals are designed to limit the external changes to the building. In particular the building retains its simple rectangular plan form and overall profile and the new recessed openings are designed to minimise the way in which the glazing is seen from distant views (reduced reflection), as well as helping with shading from sunlight from within the properties. New materials have also been carefully chosen to assimilate the change in the use of the building into its rural surroundings.
- 2.10. Further details in relation to the method of construction are contained within the supporting structural condition survey, undertaken by experienced **Chartered Engineer, Paul Snape BEng (Hons) CEng MICE**. The survey concludes at Section 7.0 that ***"The building is in a good structural condition and is considered suitable for conversion by the method or options outlined above."*** Although the overall conclusion on structural matters is apparent, Mr Snape has provided an addendum to his report to clarify certain points raised by the case officer and related to structural issues.
- 2.11. The structural report addendum is included within Appendix A of this statement and details that the building is capable of conversion and when considering the case of [*Hibbitt and another v Secretary of State for Communities and Local Government \(1\) and Rushcliffe Borough Council \(2\) \[2016\] EWHC 2853 \(Admin\)*](#), the scheme amounts

very clearly to a conversion with most of the external elements of the building being suitable for retention without works being required outside of the existing envelope of the building.

/3 LEGISLATION AND GUIDANCE

3.1. The following legislation and guidance is relevant to the consideration of the appeal proposals.

Town and Country Planning Act 1990 (as amended)

3.2. **S55(1)** identifies the meaning of development to include:

- the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in use of any buildings or other land.
- Building operations include the demolition of buildings, rebuilding, structural alterations or additions to buildings; and other operations normally undertaken by a person carrying on business as a builder.

3.3. **S55(2)(a)** states:

The following operations or uses of land shall not be taken for the purposes of the Act to involve development of the land –

(a) the carrying out for the maintenance, improvement or other alterations of any building or works which –

- (i) affect only the interior of the building, or
- (ii) do not materially affect the external appearance of the building and are not works for making good war damage or works begun after 5th December 1968 for the alterations of a building by providing additional space in it underground;

3.4. The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO) grants planning permission for certain forms of development. Part 3 of Schedule 2, Class Q includes the change of use of an agricultural building to a dwelling house and building operations reasonably necessary to convert the building to a dwellinghouse. The order states ...

Permitted development

Q. Development consisting of—

(a) change of use of a building and any land within its curtilage from a use as an agricultural building to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order; and

(b) building operations reasonably necessary to convert the building referred to in paragraph (a) to a use falling within Class C3 (dwellinghouses) of that Schedule.

- 3.5. The operation of the automatic grant of planning permission is subject to certain conditions, limitations, and restrictions. Development permitted under Class Q is also subject to the condition that before commencement of development, an application must be made to determine whether the prior approval of the local planning authority is required in respect of certain matters set out at Paragraph Q.2(1).

Planning Practice Guidance 'PPG'

- 3.6. Planning Practice Guidance provides advice on the interpretation of the legislation and the Framework. In so far as this provides guidance related to the operation of the permitted development rights under Class Q the following references are relevant to any determination of any application for prior approval.

What works are permitted under the Class Q permitted development right for change of use from an agricultural building to residential use?

The right allows either the change of use (a), or the change of use together with reasonably necessary building operations (b). Building works are allowed under the right permitting agricultural buildings to change to residential use: [Class Q of Part 3 of Schedule 2 to the Town and Country Planning \(General Permitted Development\) \(England\) Order 2015](#). However, the right assumes that the agricultural building is capable of functioning as a dwelling. The right permits building operations which are reasonably necessary to convert the building, which may include those which would

affect the external appearance of the building and would otherwise require planning permission. This includes the installation or replacement of windows, doors, roofs, exterior walls, water, drainage, electricity, gas or other services to the extent reasonably necessary for the building to function as a dwelling house; and partial demolition to the extent reasonably necessary to carry out these building operations. It is not the intention of the permitted development right to allow rebuilding work which would go beyond what is reasonably necessary for the conversion of the building to residential use. Therefore it is only where the existing building is already suitable for conversion to residential use that the building would be considered to have the permitted development right.

For a discussion of the difference between conversions and rebuilding, see for instance the case of [Hibbitt and another v Secretary of State for Communities and Local Government \(1\) and Rushcliffe Borough Council \(2\) \[2016\] EWHC 2853 \(Admin\)](#).

Internal works are not generally development. For the building to function as a dwelling it may be appropriate to undertake internal structural works, including to allow for a floor, the insertion of a mezzanine or upper floors within the overall residential floor space permitted, or internal walls, which are not prohibited by Class Q.

Paragraph: 105 Reference ID: 13-105-20180615

Revision date: 15 06 2018 See [previous version](#)

- 3.7. The Hibbitt case referred to within the PPG above, highlighted that firstly the proposed development has to be capable of amounting to a “conversion” and that a conversion is conceptually different from a rebuild.
- 3.8. The correct approach to what constitutes a “modified building” was also considered in *Oates v Secretary of State for Communities and Local Government [2017] EWHC 2716 (Admin)*. It was held that “Whether the works extended beyond an alteration to the

original building was a question of fact and degree that was pre-eminently a question of the decision-maker's planning judgment"

3.9. Whilst it is accepted that *whether the building is capable of conversion* and that *the proposal represents such a conversion* is ultimately a matter for the decision maker and a matter of fact and degree in the circumstances, it is important that the Council applies the correct interpretation to the law and policy and does not mis-direct itself.

3.10. Several recent appeal decisions, since Hibbitt and some since the clarification within Paragraph 105 of the PPG, have considered the point at which it might be said that building operations would have the effect of rendering a scheme outside of the scope of Class Q by virtue of the works not amounting to a conversion, rather a rebuild (or 'fresh build' as referenced in Hibbitt). The following appeal decisions are considered to assess similar issues to those in the current appeal scheme:

a. Appeal Ref: **APP/P3040/W/16/3165076**

Bridge House Farm, Cropwell Road, Langar, Nottinghamshire, NG13 9HD
Decision Date : 17 March 2017 (this pre-dates changes to PPG)

b. Appeal Ref: **APP/R0660/X/17/3175487**

Grasslands Nursery, Free Green Lane, Over Peover, Knutsford, WA16 9QY
Decision Date : 01 March 2018 (this pre-dates changes to PPG)

c. Appeal Ref: **APP/J3720/W/17/3179581**

One Lower Lodge Farm, Oversley Green, Alcester, Warwickshire B49 6LJ
Decision date : 23 March 2018 (this pre-dates changes to PPG)

d. Appeal Ref: **APP/B3438/W/18/3202031**

Hayes Gate Farm, Star Bank, Oakamoor, Staffordshire ST10 3BN
Decision Date : 23 October 2018

e. Appeal Ref: **APP/L3245/W/18/3216271**

Barn East of Northwood Villa, Ellesmere Lane, Northwood, Ellesmere, Shropshire
SY12 0LU

Decision Date : 10 April 2019

f. Appeal Ref: **APP/C3430/W/20/3259550**

Brinsford Farm, Brinsford Lane, Slade Heath WV10 7PR

Decision Date : 23 December 2020

3.11. Copies of these appeal decisions are included in the bundle of appeal supporting documents.

/4 CASE FOR THE APPELLANT

- 4.1. The remainder of this statement elucidates the case for the appellant with regards to compliance with Schedule 2, Part 3, Class Q (a) and (b) of The Town and Country Planning (General Permitted Development) (England) Order (GPDO) 2015.

Reason for Refusal

- 4.2. The reason for refusal states that:

"The building operations proposed as part of the development would go beyond what is "reasonably necessary" to change the use of the building and would include new structural elements for the building contrary to Q.1 (i) of Schedule 2 Part 3 Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015.

The external appearance of the building, having particular regard to the number, materials and proportions of the new openings would give the building an overtly suburban character which would transform its existing appearance to one which would be incompatible with and unsympathetic to its rural surroundings in conflict with the requirements of the National Planning Policy Framework and Q.2 (f) of Schedule 2 Part 3 Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015".

- 4.3. This amounts to two separate reasons for refusal, the first related to whether the proposals involve works which go beyond what is "reasonably necessary" (REASON 1). The second reason relates to the external appearance of the resultant building and asserts that this would conflict with Q.2(f) Schedule 2 Part 3 Class Q (REASON 2).

- 4.4. Although not a part of the reasons for refusal, the officer dealing with the application in the report indicates concern that the floorspace of the larger dwelling may exceed the tolerances in Class Q. The report at page 2/3 states ...

"The resultant floor space of the larger dwellinghouse, having a use within use class C3, would amount to 465sqm (taking account of the annotated internal floorspace of the dwellings). However it is noted that the submitted floor plans appear to leave an unused void at upper floor level, either side of a corridor between the two bedroom areas. There does not appear to be and access into this area but it is not clear if the upper floors are mezzanines with part of the ground floor being double height or whether this void has a floor. Taking this into account the proposal has not demonstrated beyond doubt that more than 465 square metres of floor space having a use falling within Class C3

(dwellinghouses) would be provided and the application therefore fails to comply with the requirements of Q1(h)."

The drawings clearly indicate the total floorspace to be 465sq.m. and show the space above the ground floor in the relevant areas to be 'void'. There is no suggestion of any mezzanine, and this is clear from the drawn and other information and was further clarified to the officer during the application process. Although it does not feature as a reason for refusal, the appellant is keen to re-affirm that the total gross floorspace is 465 sq.m. and hence the allegation that this has not been demonstrated is unfounded.

REASON 1

- 4.5. Dealing with the first part of the reason for refusal, the LPA asserts that the proposal does not meet Class Q.1 (i) and suggests that this is because the *development would go beyond what is "reasonably necessary" to change the use of the building and would include new structural elements for the building contrary to Q.1 (i).*
- 4.6. Paragraph Q.1(i) of Class Q is directed at the nature of any building operations. Such operations are only permitted to the extent that they involve ...

***(i) the installation or replacement of—
(aa) windows, doors, roofs, or exterior walls, or
(bb) water, drainage, electricity, gas or other services, to the extent reasonably necessary for the building to function as a dwellinghouse;***

- 4.7. The officer's report notes that:

The application is supported by a structural appraisal. This confirms that whilst the structural steelwork for the portal frames revealed some corrosion this has not compromised the integrity of the frame which has adequate capacity to support the converted building. The application proposes to completely renew the roof and wall cladding. In addition, a new floor incorporating a damp proof membrane and thermal insulation is proposed. A new floor would clearly be a new structural element as confirmed in numerous appeal decisions. Moreover, taken together with the extensive works of replacement of the roof and external walls, the resultant building would be tantamount to the construction of a new building, rather than operations reasonably

necessary for the building to function as a dwelling house. In effect, the only part of the building to be retained would be the existing steel frame. The report concludes that it is unclear whether new foundations will be required to support the heavier structure and further investigations would be required.

Taking into account the above, it is considered that the given the extent of building works based on the information before me, I consider that the proposal would go beyond what is 'reasonably necessary' to change the use of the building.

(Emphasis added)

- 4.8. Importantly it seems that the officer has both misunderstood the nature of the proposals and has also misapplied the regulations, because of an apparent misunderstanding of relevant precedents. This has led to arrival at a conclusion which is plainly wrong. The sentences highlighted above contain factual inaccuracies, as well as misunderstandings which ought properly to have been clarified given the importance placed on these in the process of determination.
- 4.9. The factual inaccuracies amount to:
- *A new floor is proposed.* This is inaccurate as the works proposed are to provide insulation above the existing (retained) floor.
 - *In effect the only part of the building to be retained would be the existing steel frame.* This is inaccurate as most of the existing building would be retained.
- 4.10. The misunderstandings amount to whether the external walls were to be replaced (assumed to be so) and whether new foundations were needed (it appears that the officer has assumed this would add to the degree of works). These matters could easily have been clarified before the decision was made.
- 4.11. For the avoidance of doubt, the proposed conversion of the building to residential use involves the following external works:
- a. Repair and retention of the steel frame of the building, the concrete blockwork plinth and the timber cladding to the upper parts of the elevations;

- b. New blockwork and timber cladding to the west elevation which is open sided;
- c. Creation of new openings and installation of aluminium framed glazed openings;
- d. Replacement of the corrugated cement render along with some of the timber roof purlins. Whilst the proposal is for a slate roof, the final roofing material will be dictated by the structural capacity of the steel frame. If slate cannot be used a lighter material will be used.

All other works are internal and include:

- e. A layer of insulated flooring laid on top of the existing floor slab which is to be retained.
 - f. An inner skin created on the inside of the existing external blockwork / cladding to form an insulated cavity and made up of masonry loadbearing internal walls. These would be built off the existing slab, without need for any external alterations, a matter which is now fully covered in the structural engineer's addendum report. No works outside of the envelope of the existing building are required.
- 4.12. Further clarification of the extent of the proposed works has been detailed in Appendix A, which comprises a letter undertaken by experienced **Chartered Engineer, Paul Snape BEng (Hons) CEng MICE**.
- 4.13. Paragraph Q.1 (i) precludes development under Class Q(b) where this would consist of *building operations other than—*
- (i) *the installation or replacement of—*
 - (aa) *windows, doors, roofs, or exterior walls, or*
 - (bb) *water, drainage, electricity, gas or other services, to the extent reasonably necessary for the building to function as a dwellinghouse; ...*
- 4.14. PPG Paragraph 105 confirms that *"Internal works are not generally development. For the building to function as a dwelling it may be appropriate to undertake internal structural works, including to allow for a floor, the insertion of a mezzanine or upper*

floors within the overall residential floor space permitted, or internal walls, which are not prohibited by Class Q." This is a function of the operation of Section 55 of the Act.

4.15. The rights afforded by Class Q clearly recognise that a reasonable level of work will be needed to allow for most, if not all, agricultural buildings to function as dwellings. Building regulations alone dictate this in terms of energy efficiency etc.

4.16. Indeed this is reflected in the NPPG, which expressly deals with both **installing** and also **replacing** exterior walls, windows, doors, roofs etc ...

"the installation or replacement of windows, doors, roofs, exterior walls, water, drainage, electricity, gas or other services to the extent reasonably necessary for the building to function as a dwelling house; and partial demolition to the extent reasonably necessary to carry out these building operations."

4.17. As is evident from the submitted plans, structural opinion and addendum to the structural opinion (Appendix A), the works proposed and identified at 4.8 above include a combination of installation and replacement of building elements, all which would be quite commonplace for most agricultural building conversion and which are wholly within the elements identified within the NPPG and Paragraph Q.1 itself.

4.18. The LPA asserts that the proposal would include new structural elements for the building. By reference to the officer report this seems to refer to the 'new floor', which in fact is internal work and which in any event is not new but an insulation atop the existing floor which is to be retained. In common with most agricultural buildings, such works are necessary to secure building regulations approval and are not in some way indicative of the fact that the building is not suitable for conversion.

4.19. It is quite apparent that the works would not go beyond what is reasonably necessary for the building to function as a dwelling house. In fact, the works proposed represent an entirely reasonable and acceptable level of work to render the building suitable for

residential use as is envisaged in Class Q. Accordingly, there is simply no justification for concluding that these works amount to a “re-build” or “new build”.

- 4.20. In further support of this assessment of matters, we would draw specific attention to the particulars within the very latest of the appeal decisions (December 2020) referred to above. In the case at Brinsford Farm, Brinsford Lane, Slade Heath WV10 7PR (APP/C3430/W/20/3259550), the Inspector, at paragraphs 11 - 14, describes a very similar level of works than are proposed in this appeal case, including in that case a new concrete ground floor. The Inspector concludes that:

"despite the Council's concerns about the totality of the works, many are building operations listed within Paragraph Q.1(i) and others are internal works. The Council offer no substantive evidence which challenges the appellants structural evidence. I do not consider that the proposals go above and beyond what is reasonably necessary to convert the building into a dwellinghouse as the building is capable of conversion. As a result, I conclude that that development would be permitted development for the purposes of the Order, having regard to the limitations listed in Paragraph Q.1 of Class Q."

- 4.21. Concluding on reason one, the works proposed are wholly within the scope of Class Q.1(i) and are not of such scope in totality as to mean that the proposal is no longer capable of being a conversion which is the principle allowed for in the GPDO. This conclusion is also informed by the assessment of the experienced professional structural engineer who confirms that the building is ***in a good structural condition and is considered suitable for conversion***. This opinion is further clarified within the engineer's addendum which clarifies some of the areas of concern for the Council. Applying an objective approach, the work required to convert the building would not go beyond what is reasonably necessary to convert the building to a residential use.

REASON 2

- 4.22. Turning to the second part of the reason for refusal, Paragraph Q.2-(1) identifies conditions under which applicant must apply to the local planning authority for a determination as to whether prior approval will be required in respect of the impact of the development on:
- (a) transport and highways;

- (b) noise;
 - (c) contamination;
 - (d) flooding risks;
 - (e) whether the location or siting of the building would make it otherwise impractical or undesirable for the building to be used as a dwellinghouse; and
 - (f) the design or external appearance of the building.
- 4.23. The LPA decision notice indicates that prior approval was refused in respect of matter (f). It is indicated that *"The external appearance of the building, having particular regard to the number, materials and proportions of the new openings would give the building an overtly suburban character which would transform its existing appearance to one which would be incompatible with and unsympathetic to its rural surroundings in conflict with the requirements of the National Planning Policy Framework and Q.2 (f)."*
- 4.24. As will be apparent from any successful conversion from a functional agricultural building to residential use, the change will result in a building which has a more domestic appearance, and this will often include a greater use of doors and windows than would formerly have been the case.
- 4.25. In this case great care has been taken within the design to ensure that whilst introducing a considerable amount of new glazing, this is designed to be regressive and to maintain a regular arrangement. The creation of identical sized openings to north and south elevations which align and sit within the existing bays of the building and then use of slim aluminium framed glazing, set into a deep recessed opening, considerably reduces the apparency of the areas of glazing and avoid the issues of reflection and glare as well as helping with temperature control within the homes.
- 4.26. The CGI images of the building submitted with the application give a clear indication of how this design technique can successfully ensure that all of the homes have good levels of natural light, yet the building retains its original simple agricultural character and form.

- 4.27. On the contrary to the assertions of the LPA, the number of new openings has been limited as far as is consistent with achieving an acceptable environment for the new residents.
- 4.28. Moreover, the regularity of the arrangements on the principal elevations respects the utilitarian design of the existing building and helps to reduce the overall number of openings for such a relatively large building. The scale of the openings reduces their overall impact in that a multitude of smaller openings scattered more randomly across the façades of the building would have a much greater impact on a building of this type and scale. Similarly, the scale of the vertical glazing overcomes the often-required rooflights, which tend to create a greater domestic impact and which are not a feature of this proposal
- 4.29. The materials proposed are as simple as possible with the choice of low-profile aluminium frames with clear glazing which fills the space but is set within the deep recess.
- 4.30. Overall, it is considered that, entirely at odds with the assertions of the LPA, the number, materials, and scale of the openings is entirely appropriate to this type of building and will represent a very successful means of securing a conversion which will limit impacts in the countryside.
- 4.31. It is considered that the resultant building will retain a simple but elegant appearance which would be entirely compatible with and sympathetic to its rural surroundings in accord with the requirements of the National Planning Policy Framework.
- 4.32. We would also draw the Inspectors attention to similar assessments made by colleagues in the determination of similar appeals.

Appeal Site Details	Assessment
<p>Appeal Ref. APP/B3438/W/18/3202031 Hayes Gate Farm, Staffordshire</p>	<p>In this instance, the proposal comprised new proposed openings, which were regular sized in appearance and full height in form. The Council considered that these were 'very domestic' appearance, which, in their view, is not characteristic of a portal framed agricultural building. The Inspector concluded that the very nature of change from agricultural to a dwelling will introduce a more domestic appearance in the form of windows and doors. Furthermore, the Inspector found that the full height form of the windows would not be uncharacteristic, given the size of openings commonly found on agricultural buildings. Further stating that <i>"the building would have a simple, ordered appearance in sympathetic materials, which would not result in an unduly prominent or discordant building, but rather one which would maintain much of its agricultural character"</i>. It is considered that this is comparable to the appeal at hand in that the proposed openings would be commonly found on agricultural buildings and would not result in a discordant building.</p>
<p>Appeal Ref. APP/P3040/W/16/3165076 Bridge House Farm, Rushcliffe</p>	<p>This proposal included the introduction of three sets of patio doors and full height windows, the Council regarded these as extensive and not inkeeping with the agricultural character and they exceed what will be necessary for the conversion of to a dwelling. The Inspector concluded that, in practical terms, these were not considered to be excessive having regard to the layout of the proposed house and the overall size of the building. The proposed arrangement of the openings would fulfil a practical function. It is considered that this is comparable to the appeal at hand, as the proposed openings would result in a practical function, given the requirement to create openings to allow the building to function as a dwelling and would be necessary for the conversion to a dwelling.</p>
<p>Appeal Ref. APP/L3245/W/18/3216271 Northwood Villa, Shropshire</p>	<p>This proposal created several new openings, whilst some of them being large, the Inspector concluded that they reflect the proportions of the building and existing openings, and it is considered that the number of openings would not detract from the agricultural appearance of the building. Whilst there is a greater number of openings, the Inspector did not find that these would have a significantly harmful effect on the traditional appearance of the building, particularly as the existing roof and blockwork would be retained. Furthermore, the PPG recognises that operations which affect the external appearance of the building should be permitted to allow it to function as a dwelling. It is considered that this example is comparable to the appeal at hand, as although there are new openings proposed, it is not considered that these would have a harmful effect on the appearance of the building.</p>

- 4.33. In particular we would draw attention to the conclusions in the appeal at Hayes Gate Farm, Star Bank, Oakamoor, Staffordshire ST10 3BN (APP/B3438/W/18/3202031) where, at paragraphs 21 – 24 the Inspector considers the impact of new large openings which the Council considered to be unacceptable. Whilst the specifics of the case are not identical, there is much similarity and the conclusions of the Inspector in that case reinforce the fact that a conversion will result in changes but that appropriate changes, which need not mean small scale, can often ensure a more successful conversion which is proportionate to the greater scale of relatively modern agricultural buildings.
- 4.34. Concluding on reason two, it is considered that the design and external appearance of the building is appropriate and acceptable, and that prior approval ought not to have been refused on this ground.

/5 CONCLUSION

- 5.1. It is considered by the appellant that the proposed development represents permitted development and that, for the reasons highlighted within this appeal statement, the proposals do not conflict with the limitations as set out in the GDPO. Moreover, the design and external appearance of the building is considered entirely appropriate to the building and its surroundings and that, where prior approval is deemed to have been necessary, it ought to have been granted.

- 5.2. The Inspector is therefore respectfully requested to allow this appeal and to grant the necessary prior approval under the provisions of Schedule 2, Part 3 Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015, subject to appropriate conditions as deemed necessary.

/6 SUGGESTED CONDITIONS

- 6.1. Should the appeal be allowed and permission granted, it is suggested that the following conditions are included:

The development hereby permitted shall be in accordance with the following approved plans:

Location Plan (EAD_116_P_01)

Proposed Site Plan (EAD_116_P_04)

Proposed Plan and Elevations (EAD_116_P-05)

REASON: For the avoidance of doubt.

- 6.2. The Inspector is therefore respectfully requested to allow this appeal and to grant the necessary prior approval under the provisions of Schedule 2, Part 3 Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015, subject to appropriate conditions as deemed necessary.

Appendix A – Addendum to Structural Condition Survey

Paul Snape Consulting

The Granary
Woodfold Farm
Crombleholme Fold
Goosnargh
Preston
PR3 2ES

17th June 2021

Louise Leyland
PWA Planning
2 Lockside Office Park
Lockside Road
Preston
PR2 2YS

Ref PSC-541-L001

Dear Louise

Agricultural Building at Alston Old Hall – Addendum to Structural Condition Survey

Further to my report reference PSC-541-001 dated January 2021, I write to clarify the requirements for converting the property for residential use, in particular with regards to the case of Hibbitt.

My inspection of the existing building noted that the external cladding and roofing materials were in good condition and there is no reason why the majority of the external elements of the building could not be retained. This was stated in Section 6.0 of my report which deals with the suitability for conversion and sets out the recommended method of construction. The report also states that the existing foundations will be retained together with the existing floor slab. The conversion will require new internal walls and these may be built off the existing slab with any required strengthening works incorporated within the new insulated floor slab to be provided above this. These works will not require any works to the existing foundations or any works outside of the envelope of the existing building.

I am satisfied that the building is capable of conversion and considering the case of Hibbitt, the scheme amounts very clearly to a conversion with most of the external elements of the current building being suitable for retention with the conversion and without requiring any works outside of the envelope of the existing building.

Yours Sincerely



Paul Snape



www.pwaplanning.co.uk

2 Lockside Office Park
Lockside Road
Preston
PR2 2YS

01772 369 669
info@pwaplanning.co.uk
www.pwaplanning.co.uk