

LIST OF APPEAL DECISIONS FROM 5 September 2015 to 9 October 2015

Application No	Description	Location	Officer Recommendation	Committee or Delegated	Decision	Appeal Type	Inspector Decision
15/00073/PNCOU	Prior notification for the change of use of agricultural building to dwelling under Class MB(a) & (b)	Land and Barn at NGR 278004 104654 (Building Adjacent to Lower Bagborough ttages) Copplestone Devon	Refusal of Change of Use	Delegated Decision	Refusal of Change of Use	Written Representations	Appeal Dismissed

Summary of Inspectors Comments

The main issue of the appeal considered by the Inspector was whether or not the proposed change of use/conversion of the agricultural building to a dwelling constitutes permitted development under Class Q of the GPDO. The Inspector noted that the appeal site accommodates a steel portal framed barn, which was partially clad in profile sheeting, measuring approx. 14 m by 5 m, and therefore of a significant scale. The barn was also noted as retaining some of the original cob walls of an earlier barn, and was located adjacent to several Grade 2 listed cottages. The Inspector opined that, given the very close proximity of the cottages, the barn formed part of the setting of the listed buildings: the listing description of the cottages confirmed that the building was originally a farmhouse that was altered to form three cottages. The addition of fenestration, domestic building materials, such as render and timber boarding and the more substantial construction of the barn walls would, in the Inspector's opinion, dramatically increase the barn's presence on the appeal site and such that it would be unacceptably dominant and significantly detract from the setting of the listed cottages, which would harm their significance. The proposal would therefore not preserve the setting of the listed cottages but significantly cause harm to their significance. This would also run contrary to Para. 132 and 137 of the NPPF. In response to claims by the appellant, the Inspector also stated that Par. 55 of the NPPF had little relevance as to whether the proposal constituted permitted development under Class Q of the GPDO.

The Inspector concluded that the proposal would not preserve the setting of the adjacent listed cottages and that therefore the location of the building made it unsuitable to change from agricultural use to a use falling within Class C3: the proposal was seen as being contrary to Class Q.2(1) (e) of the GPDO and was not permitted development.

Appeal Dismissed