

Report to Planning Committee

Application Number: 2019/0583PN – Appeal Ref: APP/N3020/W/20/3244146 – Appeal B linked to 2019/0585PN – Appeal Ref: APP/N3020/W/20/3244145 – Appeal A.

Location:

Appeal B - Barn D, Ling Farm, Ricket Lane, Blidworth, Mansfield, Nottinghamshire, NG21 0NG

Proposal: Notification under Class Q, Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 for conversion of existing agricultural barn D to no. residential house.

Case Officer: Cristina Dinescu

Planning approval was refused by the Borough Council on the 22nd August 2019 on the following grounds:

1. 'The location of the barn in relation to the adopted highway would result in a significant carry distance for refuse bins. The collection point would be approximately 500 metres from the dwelling at the entrance to the site as a refuse vehicle cannot enter the site. This would result in an unacceptable form of development to the detriment of the residential amenity of the future occupiers of the residential property. As such it is considered that the location and siting of the building so far from the adopted highway makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses). Taking the above into account the proposal does not accord with the limitations of Part 3, Class Q of the Town and Country Planning (General Permitted Development) Order 2015 (as Amended) and is therefore not permitted development.'
2. 'By virtue of the substantial and significant nature of the works required as part of the development to create dwelling(s) based on the supporting information and the assessment against the requirements of Class Q it is considered that the works proposed go beyond what is reasonably necessary, and are significant and substantial alterations more akin to a new build. Therefore it is concluded that the building is not suitable for conversion. Taking the above into account the proposal does not accord with the limitations of Part 3, Class Q of the Town and Country Planning (General

Permitted Development) Order 2015 (as Amended) and is therefore not permitted development.'

An appeal against this decision was subsequently lodged with the Planning Inspectorate.

This appeal has been Dismissed.

In relation to the first reason for refusal – specific issues of refuse collection at the site, the Inspector concluded that the location or siting of the building would not make it otherwise impractical or undesirable for the building to change from agricultural use to dwelling as some arrangement would be made to store the bins for the dwelling close to the highway, avoiding the need for the unlikely scenario of occupants moving refuse bins up and down from the property for collection.

The Inspector concluded that the proposed development associated with Barn D would comply with the conditions, limitations and restrictions applicable to development permitted. However, in light of the findings in relation to Appeal A (APP/N3020/W/20/3244145 – Barn A), Barn D would remain situated next to a substantial farm complex and although there is no certainty the complex would remain in active agricultural use, it is likely that the farming activities associated with the substantial complex would render the location and siting of the building impractical and undesirable to change use to a dwelling. For this reason Appeal B fails.

Recommendation: To note the information.