

## **APPEAL SYNOPSIS**

**Planning Inspectorate Reference: APP/Q4625/W/19/3232840**

**Location: Pole Barn, Bullock Yard, Lower Farm, Spencers Lane, Berkswell, Coventry CV7 7BB**

**Planning Application Number: PL/2019/00680/PNCDW**

**Appeal Decision notice date: 11 Oct 2019. Appeal Dismissed**

This appeal relates to the Council's decision to refuse to grant prior approval to permit an agricultural building to become a residential dwelling under the provisions of Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO).

The key issue here was whether or not the building was lawful.

The Inspector agreed with the Council that this barn had historically been dilapidated and subsequently undergone significant dismantling and reconstruction in 2017 and agreed with the Council that the works carried out in 2017 went beyond the scope of repair and maintenance. Consequently, as no approval was sought or granted for the reconstruction works, the Inspector confirmed that the existing building was unlawful and therefore did not benefit from the permitted development rights set out within Schedule 2 of the GPDO. This meant that the proposal could not be permitted development.

On this basis the Inspector agreed with the Council's view that the existing building did not appear to be lawful, and on this basis the Inspector did not need to consider the proposal having regard to the particular conditions and limitations of Class Q as laid out in the GPDO.

On this basis the appeal was dismissed.