The Planning Inspectorate

Appeal Decision

Site visit made on 11 July 2017

by Rory Cridland LLB (Hons), Solicitor

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 22nd August 2017

Appeal Ref: APP/D3315/W/17/3173344
Elms Farmhouse, Rumwell, Taunton TA4 1EH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr & Mrs Grinter against the decision of Taunton Deane Borough Council.
- The application Ref 05/16/0039, dated 20 July 2016, was refused by notice dated 23 January 2017.
- The development proposed is alterations to existing coach house to form a three bedroom annex to main farmhouse.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the site offers an acceptable location for the proposed development.

Reasons

3. The appeal site is located outside any defined settlement boundary and comprises a former coach house located within the curtilage of Elms Farm. Policies SP1 of the Taunton Deane Core Strategy (2011 – 2028) (CS) directs development towards the area's most accessible and sustainable locations. Policy SB1 requires that, where proposals are located outside an identified settlement, they are treated as being within the open countryside for planning purposes and are assessed against a number of defined policies including CS Policy DM2, unless they otherwise accord with a specific development plan policy[1].

4. One such policy is DM6 which permits the conversion of an appropriate building in the curtilage of a dwelling to provide ancillary accommodation where, amongst other things, it is close enough to maintain a functional relationship. However, while the accommodation would be close to the main dwelling, it would nevertheless be capable of independent occupation and would retain only a limited functional relationship with it. It would not be ancillary to the use of the main dwelling and, as such, I do not consider Policy D6 provides support in favour of the development proposed.

[1] or are necessary to meet a legislative requirement.

5. Turning then to Policy DM2, this policy supports the conversion of existing buildings provided they are of permanent and substantial construction, are of a size suitable for conversion without major rebuilding[2] and follow a sequential approach which gives preference to community and business uses or affordable or community housing. Furthermore, it requires exceptional circumstances to be demonstrated for conversions to unrestricted residential use with the explanatory text making clear that such uses will only be acceptable if the building is of particular architectural merit, worthy of retention and demonstrably unsuitable for all other listed uses.

6. There is no indication that the building is not of permanent and substantial construction or requires major rebuilding. In view of its historical relationship to Elms Farm, I am satisfied that it is of sufficient architectural merit to be worthy of retention. However, I have not been provided with any information which would indicate that it was unsuitable for all of the other uses listed.

7. Furthermore, while I note the appellant's personal circumstances and accept that they may indicate a need to provide additional ancillary accommodation, on the limited information available, I am not persuaded that they constitute the exceptional circumstances required by policy DM2. They do not, in my view, justify accommodation of the size and scale proposed which would be capable of independent occupation from the main dwelling.

8. On balance, I find that the proposal would be in conflict with CS Policies SP1, SB1 and DM2 which direct development towards the existing settlements and restrict new residential development in the countryside other than in a limited number of defined circumstances

Other Matters

9. The Council has also referred in its decision notice to CS Policy CP8 which is concerned with protecting the environment. However, it has not provided any detailed information as to why it considers the proposed conversion would be in conflict with this policy and I have seen nothing which would lead me to conclude that any such conflict would arise. Accordingly, I have not considered it further.

Conclusion

10. For the reasons set out above, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

Rory Cridland

INSPECTOR

[2] or significant alteration or extension.