
Appeal Decision

Site Visit made on 27 September 2021

by Mr S Rennie BSc (Hons), BA (Hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 November 2021

Appeal Ref: APP/W3330/D/21/3277914

The Old Forge, Park Lane, Carhampton, Somerset TA24 6NL

- 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 Ms Sally Gallia against the decision of Somerset West and Taunton Council.
 - The application Ref 3/05/21/004, dated 8 March 2021, was refused by notice dated 12 May 2021.
 - The development proposed is the replacement of an outbuilding with the erection of a detached annexe to be used as ancillary accommodation to the main house.
-

Decision

1. The appeal is allowed and planning permission is granted for the replacement of an outbuilding with the erection of a detached annexe to be used as ancillary accommodation for The Old Forge, Park Lane, Carhampton, TA24 6NL in accordance with the terms of the application Ref 3/05/21/004, dated 8 March 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1853.1/201A and 1853.1/200.
 - 3) The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling currently known as The Old Forge, Park Lane, Carhampton.
 - 4) Prior to their use in the construction of the approved development, details/samples of the materials to be used in the construction of the external surfaces shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details / samples.
 - 5) No vegetation removal or demolition shall take place during the bird nesting season (March - September inclusive) unless a survey by a suitably qualified ecologist has confirmed the absence of nesting birds immediately prior to works commencing, which shall be first sent to the Local Planning Authority for confirmation before any vegetation removal or demolition works.

Main Issue

2. The main issues are whether the proposal would preserve the setting and significance of a Grade II listed building, now known as The Old Forge, and its features of special architectural or historic interest that it possesses.

Reasons

3. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, (the Act) is relevant to this appeal as it requires special regard as to whether to grant planning permission for development which affects a listed building or its setting. The National Planning Policy Framework also advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Paragraph 199 of the Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
4. The proposed outbuilding would be used as ancillary accommodation to the main house and would be located in the rear garden. The house is the listed building and The Old Forge (previously known as The Old Smithy) dates from the 19th Century. Its significance derives from it being an historic building with an appearance and character reflective of its age within this rural village. Being within the rear garden close to the rear elevation of the listed building the development would be within the setting of this heritage asset.
5. Currently there is an outbuilding towards the rear of the garden, in the same approximate position to the proposed annex. It is overgrown currently, but from my observations it is a structure of no particular architectural merit that does not contribute positively to the setting of this listed building. The proposed annex would be of a similar size to the existing structure, although with a higher pitched roof.
6. The additional height of the proposed replacement outbuilding would mean some views of the rear of The Old Forge from outside of the site could be obscured to some extent, compared with the current situation. However, the difference would be minor with there likely to be views still available to appreciate the rear of this listed building and its roof. I would regard this matter as having no material impact to the setting of the listed building or its appreciation.
7. The proposed annex is on a higher level than the listed house. However, considering that the levels difference is not substantial and that there is a clear separation distance between the proposed annex and the listed building, then the proposal would not visually compete, be overbearing or detract from the listed building.
8. The proposal is of an appropriate simple design and scale for its context. Although the garden is modest in size there is sufficient space for the annex without appearing cramped, especially given it would replace an outbuilding of a similar size. There is no substantive evidence that the proposal would result in the loss of any significant or important trees.
9. Given the above I conclude that the proposal would preserve the setting, significance and the special historic interest of the Grade II listed building. This would satisfy the requirements of the Act and the Framework and would not conflict with policies NH1 and NH2 of the West Somerset Local Plan to 2032. These policies seek, among other things, to ensure the sustaining of the historic heritage within the district and to conserve and enhance the built and historic environment.

Other Matters

10. The proposal is for an ancillary outbuilding and not an independent dwelling. This can be conditioned to ensure this would remain the case. As such, there is no reason to consider the proposal as a separate dwelling.
11. There has been the issue raised as to whether there is a need for the proposed annex. However, whilst I note the reasoning given in relation to the need for carer accommodation, as I have not found any harm with the proposed development then there is no requirement for the development to demonstrate a particular need.
12. I acknowledge the surrounding highways are narrow and there appears to be only one parking space at the Old Forge. However, the proposal would be a small addition and I have no substantive evidence that any consequential additional parking need could not be accommodated, even if that meant on-street parking.
13. The demolition and construction process may be difficult to organise, but this is a relatively small development and should be feasible without resulting in adverse highways impacts or unacceptable noise and disturbance to neighbours.
14. There has been a 'Preliminary Ecological Appraisal Report' submitted with the appeal. This provides evidence that the structures have a negligible suitability for bats, based on a lack of any evidence of bats or suitable roost features. The Report does advise against works in the bird nesting season, which can be a requirement via condition. Given the small scale of the proposals I do not regard there to be the need for any other ecology based conditions. There is no substantive detail of badgers being potentially affected by the proposed development.
15. The proposal is to use soakaways for its surface water drainage. I have no substantive evidence to suggest this is not suitable for the development.

Conditions

16. I have considered the conditions put forward by the Council against the requirements of the Planning Practice Guidance (PPG) and the Framework.
17. I have attached the standard time limit condition and a plans condition as this provides certainty. I have also added a condition concerning materials to ensure a satisfactory appearance.
18. As the annex is proposed as an ancillary building then this should be required to remain as such through a condition.
19. As recommended in the Preliminary Ecological Appraisal Report, I have attached a condition to ensure works do not take place during nesting season.

Conclusion

20. For the reasons given above I conclude that the appeal should be allowed.

Mr S Rennie

INSPECTOR