



Appeal Decision

Site visit made on 16 December 2025

by C Rose BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 January 2026

Appeal Ref: APP/E3335/W/25/3374472

Gummers Castle, Old A303, Seavington St Michael, Ilminster, Somerset TA19 0QB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr & Mrs Reyland against the decision of Somerset Council.
 - The application Ref is 25/00811/PAMB.
 - The development proposed is change of use and conversion of part of an agricultural building to one dwellinghouse.
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Decision

1. The appeal is allowed and prior approval is granted for change of use and conversion of part of an agricultural building to one dwellinghouse at Gummers Castle, Old A303, Seavington St Michael, Ilminster, Somerset TA19 0QB in accordance with the details submitted pursuant to Schedule 2, Part 3, Paragraph Q.2 (1) of the GPDO through application Ref 25/00811/PAMB. The approval is subject to the condition that the development must be completed within a period of 3 years from the date of this decision in accordance with Paragraph Q.2 (3) of the GPDO and subject to the following additional condition:
 - 1) The barn physically adjoining the dwelling hereby approved to the north shall only be used for agricultural storage and shall not at any time be used for the accommodation of livestock or for the storage of slurry or sewage sludge.

Preliminary Matters

2. The description of development in the heading above has been taken from the original application form as neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application form but removed reference to the address and accompanying documents as these are not acts of development.
3. The appeal is accompanied by a Unilateral Undertaking (UU) under the Town and Country Planning Act 1990. The UU outlines the wider site stating that the Owner covenants not to sell, dispose, or lease the proposed dwelling separately to the remainder of the site unless otherwise agreed in writing by the Council. I will return to this below.
4. The appellant has confirmed that the Prior Notification was submitted under the Transitional Arrangements following publication of the updated Town and Country

Planning (General Permitted Development) (England) Order 2015 as amended (GPDO). As such, I have considered the proposal on this basis.

Background and Main Issue

5. Under Article 3(1) and Schedule 2, Part 3, Class Q, of the GPDO, development is permitted for the change of use of a building and any land within its curtilage, from use as an agricultural building to a use falling within Class C3 (dwellinghouses) together with building operations reasonably necessary to convert that building, subject to limitations and conditions.
6. The local planning authority (LPA) may refuse the application where it considers that the proposed development does not comply with, or that the developer has provided insufficient information to enable the LPA to establish whether the proposed development complies with the conditions, limitations or restrictions set out in paragraphs Q.1 and Q.2.
7. The application was refused on the basis that the proposal would not be permitted development, as it fails to meet the provisions of Paragraph Q.2(1) (b) and (e). These provide that development is permitted subject to the condition that before beginning the development, the developer apply to the LPA for a determination as to whether the prior approval will be required as to noise impacts from the development and whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses) of the Schedule of the Use Classes Order. The Council has not raised any issues in respect of Paragraphs Q.1, Q.2(1) (a), (c), (d), (f) and (g) and I have no reason to disagree.
8. On the basis of the above, the main issue is the noise impacts of the development and whether the location or siting of the agricultural building make it otherwise impractical or undesirable for it to be used as a dwellinghouse in terms of its effect on the living conditions of future occupiers.

Reasons

9. The appeal building forms part of a larger structure in agricultural use. It also sits within close proximity to other active large farm buildings and associated yard and access. At the time of my site visit these other buildings contained a substantial amount of storage of farm paraphernalia and machinery, but no livestock.
10. With regard to the noise impacts of the development, the LPA has referred to part (b) of paragraph Q.2(1) in its first reason for refusal. However, this relates to the noise impacts of the development itself. In light of the residential nature of the proposal and location a considerable distance from other dwellings in the countryside, the proposal would not in itself result in any harmful noise impacts. I do not therefore find any concerns in relation to part (b).
11. Moving on to part (e), there is no specific guidance on what constitutes 'impractical or undesirable' for the purposes of criterion (e) of Q.2, but the Planning Practice Guidance (PPG) provides some information about considerations which may be relevant.

12. The PPG¹ sets out that ‘impractical’ reflects that the location and siting would “not be sensible or realistic”, and ‘undesirable’ reflects that it would be “harmful or objectionable”. The PPG goes on to state that “the location of the building whose use would change may be undesirable if it is adjacent to other uses such as intensive poultry farming buildings, silage storage or buildings with dangerous machines or chemicals.” Class Q does not therefore state that there should be no noise, odour, safety or disturbance impacts with some levels typical of a rural location.
13. I have no evidence to suggest that any issues would be present in ensuring that the proposed dwelling had access to power and other services such to make conversion impractical.
14. With regard to undesirable living conditions, as a result of the proposed dwelling physically adjoining and being part of a larger farm building with open sides, future occupiers of the dwelling could reasonably anticipate activity from the farm in very close proximity, including noise transferred through the party wall, from odour and general activity within the adjacent building.
15. The close relationship and associated noise and disturbance could result in unsatisfactory living conditions that would make it otherwise undesirable for the building to change to an unrestricted Class C3 use should the building be used for noisy or odorous uses such as the storage of slurry, sludge or livestock. However, as suggested by the appellant, excessive noise and odour could be controlled through the imposition of a condition to prevent these uses within the adjoining building. In combination with the relatively small size of the holding, this would mitigate any harmful effects. While I note that the building is not currently used for such purposes, I have little evidence before me demonstrating that such uses could not commence and given that a considerable extent of the proposed dwelling would physically adjoin the barn, I find a condition both reasonable and necessary in this instance.
16. I have had regard to the LPA questioning the use of such a condition on a building outside of the red-line site boundary. However, the Town and Country Planning Act 1990 (as amended), under sections 70(1) and 72(1) empowers conditions to be imposed regulating the development or use of any land under the control of the applicant. The adjacent building is within the blue-line and under the ownership of the appellant and as such a condition can be imposed in relation to it.
17. Furthermore, Paragraph W(13) of Part 3 of the GPDO allows conditions to be imposed on the grant of any prior approval subject to the conditions being reasonably related to the subject matter. In relation to this, the imposition of a condition restricting the use of the adjacent barn would overcome concerns regarding the location or siting being undesirable and prevent the refusal of prior approval. Given this, I have not considered the UU further and it is not determinative in this appeal or necessary and is disregarded.
18. For the reasons outlined above, and subject to a condition, the location or siting of the agricultural building would not make it otherwise impractical or undesirable for it to be used as a dwellinghouse in terms of its effect on the living conditions of future occupiers. The proposal, therefore, complies with the provisions of Q.2(1)(e) of the

¹ Paragraph: 109 Reference ID: 13-109-21050305

GPDO. It also complies with the National Planning Policy Framework that seeks to ensure a high standard of amenity for existing and proposed users.

19. I therefore conclude that there would be no harmful noise impacts of the development and that the location or siting of the agricultural building does not make it otherwise impractical or undesirable for it to be used as a dwellinghouse in terms of its effect on the living conditions of future occupiers.

Conditions

20. As stated above, the GPDO allows for the grant of prior approval subject to conditions reasonably related to the subject matter of the prior approval. The Council have not suggested the need for any conditions.
21. Prior approval granted under Schedule 2, Part 3, Class Q of the GPDO is subject to the condition in Q2(3) that specifies that the development shall be completed within a period of 3 years of the prior approval date. The provisions of paragraph W require that the development is carried out in accordance with the details submitted. Therefore, further conditions in these regards are not necessary.
22. In light of my findings above, a condition is reasonable and necessary to restrict the use of the physically adjoining barn to ensure that the location of the building does not make it undesirable to change to a C3 use.

Conclusion

23. For the reasons given above, I conclude that the appeal should be allowed and prior approval should be granted.

C Rose

INSPECTOR