



Appeal Decision

Site visit made on 14 January 2026

by **R J Redford MTCP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 06 February 2026

Appeal Ref: APP/E3335/W/25/3374383

Eden Vale Farm, Mill Lane, Beckington, Frome, Somerset BA11 6SN

- 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 B W Keevil of Keevil Farm Partnership against the decision of Somerset Council.
 - The application Ref is 2025/1346/PAA.
 - The development proposed is the change of use of agricultural building to 2 no. dwellinghouses.
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Decision

1. The appeal is allowed and prior approval is granted under the provisions of Article 3(1) and Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the change of use of an agricultural building into 2 dwellings at Eden Vale Farm, Mill Lane, Beckington, Frome, Somerset BA11 6SN in accordance with the application 2025/1346/PAA and the details submitted with it, and subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with drawing nos: PL5290/1A; PL5290/3A; PL5290/4A; PL5290/5A; and PL5290/12.
 - 2) Prior to the occupation of the development hereby permitted, the buildings identified on drawing PL5290/3A will have been demolished and all materials relating to their demolition removed from the appeal site.

Preliminary Matters

2. The appeal site does not have a postal address. The location can be identified by Easting (x) 379667 and Northing (y) 152205.
3. There is a second appeal (APP/E3335/W/25/3374532) by the same appellant on a nearby site which I have also been appointed to determine. However, this has been dealt with on its own merits in a separate decision.
4. On the Decision Notice, the Council has referred to paragraph Q1.(i)(i) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO). The Council has confirmed this to be a typographical error and should be Paragraph Q1.(j)(i). Although it is not possible to amend a decision notice once it has been issued, in this instance the Council clearly put forward its case in relation to Paragraph Q1.(j)(i) in the officer's report, and the appellant has responded on this issue. I am satisfied taking account of this would not prejudice any party.

5. It is also noted that the appellant has submitted an updated Brief Structural Assessment Report, this would show how the first floor would be supported, removing reference to supporting blockwork internal (or spine) walls. However, this is not reflected on the submitted plans, specifically plan PL5290/12 which still refers to masonry spine walls supporting intermediate floor structure timbers. Notwithstanding this discrepancy, an appeal should not be used to evolve a proposal, so this decision has been made on the details submitted with the original application.

Background and Main Issues

6. Under Schedule 2, Part 3, Class Q.(c), of the GPDO¹, 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.
7. The Council in its role as 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 Q1. and Q2.
8. There is dispute between the main parties as to whether the proposal would comply with Paragraph Q1. The Council also contends that for the purposes of Class Q, the proposed 'curtilage' would not comply with the GPDO interpretation.
9. Therefore, the main issues are whether the proposal would constitute permitted development in respect to the GPDO interpretation of 'curtilage' and Paragraph Q1, and if this is the case, whether prior approval would be required in accordance with paragraph Q2.(1).

Reasons

10. The proposal is to convert one of a group of agricultural buildings into 2 dwellings with a curtilage including outdoor space and parking for 4 vehicles. It is proposed the rest of the buildings on the appeal site would be demolished. The site is located in the countryside near to the village of Beckington.

Curtilage

11. The main parties have referred to Paragraph X, however the interpretation of curtilage within that paragraph relates only to Class R or S. For the purposes of Class Q, Paragraph Q3.(1) describes 'curtilage'. It states that curtilage means the lesser of (a) the piece of land, whether enclosed or unenclosed, immediately beside or around the building on an established agricultural unit or former agricultural building (as the case may be), closely associated with and serving the purposes of that building, and (b) an area of land immediately beside or around the building on an established agricultural unit or former agricultural building (as the case may be) no larger than the land area occupied by that building.
12. The Council considers the curtilage to be that defined by the red line on plan PL5290/1A which would be considerably larger than the land area occupied by the

¹ All paragraphs here on refer to this part of the GPDO unless stated otherwise.

building proposed to be converted. Whilst the appellant refers to the labelled broken purple line on plan PL5290/3A as the curtilage which would be the same as the land area occupied by the building to be converted.

13. However, there is nothing within the GPDO which states the curtilage must be defined by a red line or that the appeal site can only include the building to be converted and its curtilage. Paragraph W.(2)(b) simply requires that a plan indicating the site and showing the proposed development accompanies the application.
14. Although irregular, the broken purple line on plan PL5290/3A clearly identifies the proposed curtilage in relation to the building and from the information before me that curtilage would comply with the interpretation set out in Paragraph Q3.(1).

Paragraph Q1.

15. The Council has confirmed that the proposal would comply with parts (a), (c)-(f), and (h)-(p) of Paragraph Q1, and that parts (b) and (i) do not apply. The Council has also confirmed that although it has referred to the proposal failing to comply with part (g), this was in error and the proposal would in fact comply with this too. There is nothing before me to conclude otherwise. Consequently, in relation to Paragraph Q1. the only part in contention is part (j).
16. Part Q1.(j) sets out the limitations for what operations would be reasonably necessary for the conversion of the barn. On review of the details before me the windows, doors, roof, and exterior wall alterations would be reasonably necessary, and the appellant's structural report confirms that the existing frame of the appeal building would support these proposed alterations.
17. However, as the appeal building does not have a floor, it would be necessary for one to be installed. The evidence suggests that load bearing internal walls would also be required to support the first floor and the appellant's structural report states these would require strip footings.
18. The GPDO does not make a distinction between structural and non-structural works, and section 55(2)(a) of the Town and Country Planning Act 1990 (as amended) states that works of "maintenance, improvement or other alteration which affect only the interior" do not constitute development.
19. It is recognised that the appellant's structural report is limited. Nevertheless, taking account of the overall size and scale of the proposed floor and internal walls that may require foundations, in my mind these building operations would not go beyond maintenance, improvement or other alteration which affect only the interior. As such these elements of the proposal would not amount to development, and so would not require planning permission via the GPDO.
20. The proposal would therefore comply with part Q1.(j) and Paragraph Q1. as a whole.

Paragraph Q2.(1)

21. There is agreement between the main parties that the proposal would satisfy the criteria of Paragraph Q2.(1). There is nothing before me to conclude otherwise and I am satisfied the proposal would not cause harm in relation to the provisions of Paragraph Q2.(1).

Conditions

22. Paragraph W(13) of the GPDO allows for the granting of prior approval unconditionally or subject to conditions reasonably related to the subject matter of the prior approval. Although the Council has not indicated the need for any additional conditions, the appellant has proposed a condition to demolish the other agricultural buildings on the appeal site prior to the occupation of the appeal building. As the proposed curtilage would replace some of these buildings, this would seem a reasonable condition related to that proposed. I have also imposed a condition specifying the approved plans in the interest of certainty.

Conclusion

23. For the reasons given above, the proposed change of use is permitted development under Class Q and as such, having considered all matters raised, the appeal is allowed, and prior approval is granted.

RJ Redford

INSPECTOR