

APPEAL DECISIONS – 4 FEBRUARY 2021

Site: LILLESDON BARN, LILLESDON LANE, NORTH CURRY, TAUNTON, TA3 6BY

Proposal: Erection of a single storey extension to the west elevation of Lillesdon Barn, Lillesdon Lane, North Curry

Application number: 24/20/0035

Reason for refusal: Appeal - Allowed

Original Decision: Delegate Decision – Refusal



The Planning Inspectorate

Appeal Decision

Site visit made on 21 December 2020 **by A Tucker BA (Hons) IHBC**

an Inspector appointed by the Secretary of State

Decision date: 13 January 2021

Appeal Ref: APP/W3330/D/20/3262628 Lillesdon Barn, Lillesdon Lane, North Curry, Taunton TA3 6BY

- 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 Nick and Jane Crompton against the decision of Somerset West and Taunton Council.
 - The application Ref 24/20/0035, dated 28 July 2020, was refused by notice dated 13 October 2020.
 - The development proposed is single storey extension to west elevation within courtyard.
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Decision

1. The appeal is allowed, and planning permission is granted for single storey extension to west elevation within courtyard at Lillesdon Barn, Lillesdon Lane, North Curry, Taunton TA3 6BY, in accordance with the terms of the application, Ref 24/20/0035, dated 28 July 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.

- 2) The development shall be carried out in strict accordance with the following submitted plans: PA101, PA102, PA201, PA203, PA204, PA301, PA302, PA303 and PA304.
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted match those used in the existing building.

Preliminary Matters and Main Issue

2. On 1 April 2019 West Somerset Council merged with Taunton Deane Borough Council to become Somerset West and Taunton Council. The development plans for the merged local planning authority remain in place for the former area of Taunton Deane Borough Council until such a time as they are revoked or replaced. It is therefore necessary to determine this appeal with reference to policies set out in the plans produced by the now dissolved Taunton Deane Borough Council.
3. The appellant suggests that the building is not listed, as it was converted to a dwelling through a Class Q prior notification, which would not have been allowed if the building was listed. Provision 1(5) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA) defines a listed building as a building included in the list and any object or structure fixed to the building, or any object or structure within the curtilage of the building which, although not fixed to the building, forms part of the land and has done so since before 1 July 1948.
4. Information before me relating to this matter is very limited. The Council's officer report does not refer to the original permission to convert the building into a dwelling and makes no comment about when the building was converted or why it is considered to satisfy the provision of 1(5) of the LBCA. However, I note that an application for both planning permission and listed building consent for the proposal was submitted by the appellants, and that the Council has determined the proposal on the basis that the building is listed. I also note that the proposal was subject to pre-application discussion with the Council's conservation officer.
5. At my visit to the site I saw that the historic barns are physically close to Lillesdon Farmhouse, which is to the south, and that the farmhouse is accessed from a track alongside the barns, which strengthens their physical relationship. The farmhouse and barns can be seen in the same view from the highway. Furthermore, I could see no other historic farmhouses in close proximity which could have been associated with the barns.
6. Therefore, without any evidence that could lead me to take a contrary view, I consider it reasonable for me to determine this appeal on the basis that the appeal building is listed, by virtue of its historic association with Lillesdon Farmhouse. The main issue is therefore the effect of the proposal upon the significance of the grade II listed building.

Reasons

7. Section 66(1) of the LBCA requires the decision maker, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
8. Lillesdon Farmhouse is a grade II listed dwelling dating from the 16th – 17th century, with subsequent alterations. The appeal building is part of a range of historic agricultural barns to the north of the farmhouse that are laid out to enclose a yard. The significance of the barns is derived from their traditional form and materials, as well as

the way they illustrate the historic use of the farmstead and aid our understanding of how the site would have functioned in the past.

9. The proposal would see a modest extension added within the yard. It would have a simple linear form, parallel and attached to a length of the existing barn with a matching hipped roof, but lower in height and much shorter in length. It would follow the same treatment of the existing west elevation of this part of the building, with simple full height hardwood glazing. The larger forms of the original building would surround the extension and would remain the dominant built form enclosing the yard area. The proposal would not be visible from beyond the yard and would thus not harm the interrelationship between the barns and the farmhouse.
10. In summary, the extension would not cause harm to the character of the listed building. The proposal would thus preserve the special interest of the listed building, in accordance with the requirements of the LBCA and paragraph 193 of the National Planning Policy Framework (the Framework), which states that great weight should be given to the conservation of heritage assets. It would also accord with Policies CP8 and DM1 of the Taunton Deane Core Strategy 2011 – 2028 and Policy D5 of the Taunton Deane Adopted Site Allocations and

Development Management Plan, which together seek to ensure that development proposals do not harm the historic environment or the appearance and character of any building.

Conditions

11. I have had regard to the planning conditions suggested by the Council. I have considered them against the tests in the Framework and the advice in the Planning Practice Guidance. I have imposed a condition specifying the approved plans as this provides certainty and a condition to ensure that the materials of the extension match those used in the existing building.
12. I do not consider it necessary to also impose the condition suggested by the Council to require the submission of samples of materials. The plans quite clearly specify a simple palette of materials to match the existing building. Materials to be introduced could all be clearly referenced to the same material used on the existing building.

Conclusion

13. For the reasons above, the appeal should be allowed.

A Tucker

INSPECTOR