



Appeal Decision

Site visit made on 1 November 2007

by **David Nicholson** RIBA IHBC

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

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**Decision date:
7 November 2007**

Appeal Ref: APP/R3325/E/07/2049964

22 Church Path, Crewkerne TA18 7HX

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a failure to give notice within the prescribed period of a decision on an application for listed building consent.
- The appeal is made by Ms. S New against South Somerset District Council.
- The application Ref 07/00683/LBC is dated 6 February 2007.
- The works proposed are the removal of an internal loadbearing wall.

Decision

1. **I dismiss the appeal** and refuse listed building consent for the removal of an internal loadbearing wall.

Reasons

2. No.22 was listed at Grade II in 1974; the list description dates it as mid 18th century. The front elevation has two pairs of roughly symmetrical windows serving two rooms on each of the ground and first floors, although the dividing walls do not quite line up. One of the front ground floor rooms has an open fire; the other has been blocked up. The dividing wall is of brickwork with haired lime plaster and has two low doorways with wide architraves. A relatively modern staircase has been inserted along the back of one of the front rooms with access through a tall doorway in the dividing wall from the other room. There are two further ground floor rooms in a rear extension.
3. The proposal is to remove the dividing wall and substitute a new beam on new piers. Given the fenestration and evidence of a fireplace in each side, I assess that the front of the house has probably always been separated into 2 rooms and I find this is part of its special interest. Given its construction, I consider that the partition has been there for a long time. I accept that the proposed piers would roughly indicate the existing position of the wall. Nonetheless, for the above reasons I find the wall's removal would significantly detract from the plan form of the house as well as destroy important historic fabric.
4. I have considered the argument that the current arrangement is less than ideal, and that the smaller room is of no more use than a corridor. However, with two further rooms to the rear I find the arrangement far from unacceptable. I agree that the open staircase and additional doorways to both the stairs and the rear extension make the space odd but, in the absence of any detailed historical study into the evolution of the house, or even evidence that the stairs pre-date listing in 1974, I give these claims little weight in my decision.

S.SOM.D.C.

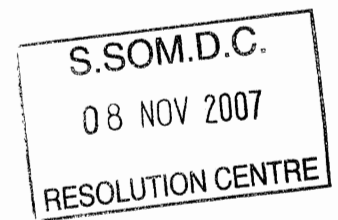
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RESOLUTION CENTRE

5. The proposals would therefore harm the listed building, contrary to government advice in Planning Policy Guidance Note 15: *Planning and the Historic Environment*, which seeks to preserve the architectural and historic interest of listed buildings, and protect them from unsuitable and insensitive alteration (paragraph 3.3), and; that the interior plan should be respected and left unaltered as far as possible (paragraph C.58). The proposals would also conflict with relevant Local Plan policies which echo this guidance.
6. For the reasons given above and having regard to all other matters raised, including various delays in dealing with the application, I conclude that the appeal should fail.

David Nicholson

INSPECTOR





Appeal Decisions

Sites visit made on 9 October 2007

by **Dannie Onn** RIBA IHBC

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Decision date:
31 October 2007

Appeal A: APP/R3325/A/07/2043526

30 Church Street, Merriot, TA16 5PS

- 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 Sherred Developments Ltd against the decision of South Somerset District Council.
- The application Ref 07/00430/FUL, dated 9 January 2007, was refused by notice dated 19 March 2007.
- The development proposed is a two storey extension with loft conversion and garage (double).

Summary of Decision: The appeal is dismissed.

Appeal B: APP/R3325/A/07/2043449

32 Church Street, Merriot, TA16 5PS

- 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 A Sherred against the decision of South Somerset District Council.
- The application Ref 06/04322/FUL, dated 16 November 2006, was refused by notice dated 30 March 2007.
- The development proposed is conversion of an outbuilding to a one bed annexe and rebuilding of the existing garages.

Summary of Decision: The appeal is dismissed.

Appeal A

Main issues

1. The main issues at Appeal A are the effect of the proposals, firstly on the setting of the adjacent listed building and the character and appearance of the Conservation Area; and secondly on the living conditions at neighbouring property in terms of overlooking.

Reasons

2. No 30 Church Street is a listed cottage built in local stone with a thatch roof and dating from the late 18th century. It consists of two main cells with thick walls between them. This reduces the space within, but it still has the arrangement and scale of a three bedroom house. Together with the surrounding buildings and the nearby church, it forms part of an interesting historic group within the Conservation Area.

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3. The proposed development would add a substantial extension to the listed cottage with an integral double garage. The materials and detail would be generally sympathetic to the original and it would have a lower ridge and set-back elevations. However, the substantial scale of the development, more than doubling the width of the house, would compete with the existing for dominance and create an overall building out of character with the scale of the original cottage. The change in scale would be emphasised by the introduction of roof lights to facilitate a second floor bedroom. The roof lights themselves would be a modern solution, out of keeping with the vernacular tradition of the existing cottage. The use of roof lights in the rear elevation would add to the unsympathetic form.
4. A double garage is proposed. To achieve this within the constraints of the site, the ground floor of the extension would be splayed back to allow vehicle access. That would introduce a modern structural device at odds with the vernacular load-bearing stonework of the listed building. Overall, the scale and design of this unjustified extension would harm the character and setting of the listed building, in conflict with Policy EH3 of the South Somerset Local Plan. The harm to the building, particularly the enlarged form, would in this case be at odds with its neighbours. That would harm the character and appearance of the Conservation Area, which would thus be neither preserved nor enhanced, contrary to Policy EH1 of the Local Plan.
5. The proposed extension would run behind the garden of No 26 Church Street. That property has its gable to the street and limited privacy in its garden. With the proposed extension at No 30, the windows on the upper floor would look directly across the garden, imposing upon it to an unacceptable degree. That would harm the living conditions at the adjacent property, contrary to Policy ST6 of the Local Plan.

Appeal B

Main issue

6. At Appeal B, the main issue is the effect of the proposed development on the character and appearance of the Conservation Area and the setting of the adjacent listed building.

Reasons

7. The application was for an amendment to 05/02390/FUL, which is a planning permission described as *conversion of outbuilding to a one bed annexe and rebuilding of the existing garages*. The development has been carried out with the addition of four roof lights and a render finish to the rear wall. Those changes are the subject of the current application and appeal.
8. The appeal site lies to the rear of No 30 Church Street, a listed building. The size and projection of the roof lights, emphasised by their quantity and regular disposition, makes them unsympathetic modern features, notwithstanding the glazing bar split. Although mostly visible from the gardens only, they can be seen in the setting of the listed building. The setting of that listed building would thus be harmed, contrary to Policy EH5 of the Local Plan. The development is not compatible with the surroundings and would therefore

neither preserve nor enhance the Conservation Area, contrary to Policy EH1 of the Local Plan.

9. The appellant seeks natural light to the building. I note that the intended bathroom would have no other light but the area labelled workshop would have a front window. The car garages would have natural light when its doors are open to provide access to the cars. Thus, although there would be some benefit in reducing the demand for artificial light, I do not consider that it would be so significant in this case to justify the range and size of roof lights installed.
10. The Council does not object to the render finish. Given the location of the wall, I see no reason to disagree in this case. However, this matter does not overcome the harm I have found.

Formal Decisions

Appeal A: APP/R3325/A/07/2043526

11. I dismiss the appeal.

Appeal B: APP/R3325/A/07/2043449

12. I dismiss the appeal.

Dannie Onn
INSPECTOR

