



---

## Appeal Decisions

Site visit made on 20 August 2019

**by Nick Fagan BSc (Hons) DipTP MRTPI**

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

**Decision date: 9<sup>th</sup> September 2019**

---

### **Appeal Ref: APP/R3325/W/19/3220603**

#### **Inkwell House, Lower Chillington, Ilminster, Somerset TA19 0PU**

- 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 Maxine Burns against the decision of South Somerset District Council.
  - The application Ref 18/03339/HOU, dated 29 August 2018, was refused by notice dated 29 November 2018.
  - The development proposed is the demolition of existing railings and erection of two boundary walls.
- 

### **Appeal Ref: APP/R3325/Y/19/3219119**

#### **Inkwell House, Lower Chillington, Ilminster, Somerset TA19 0PU**

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
  - The appeal is made by Ms Maxine Burns against the decision of South Somerset District Council.
  - The application Ref 18/01776/LBC, dated 7 May 2018, was refused by notice dated 29 November 2018.
  - The works proposed are the demolition of existing railings and erection of two boundary walls.
- 

### **Decisions**

1. Both appeals are allowed.

### **Main Issue**

2. The main issue is the effect of the proposed walls on the significance of the neighbouring Grade II listed Old Manor House.

### **Reasons**

3. Inkwell House is a detached single storey dwelling located in the middle of the village and is accessed from a track next to Sheephouse Farm. Its neighbour to the west is the Old Manor House, a Grade II listed building (LB).
4. The listing description for that building states it is a detached two storey early eighteenth-century stone house rendered with ashlar lining and colour washed. The description goes on to describe its elevations and fenestration in more detail. It is clear from this description and from my observations of the building on site that its principal significance derives from its age and vernacular design including its elevational form and appearance.

5. The Old Manor House sits in a large garden. A small piece of this garden measuring 14m by 11.5m has been purchased by the appellant to create a rear garden for her house. The proposal is to replace the former estate railings, which have already been removed, with a 2m high wall.
6. I agree with the Council that the proposed wall would change the setting of the LB but only to a very limited extent since the nearest wall would be 25m away from its nearest point and would be partly screened by vegetation within the LB's garden. This would remain the case in the winter. Such a minor change would not result in any harm.
7. An 8-foot-high (2.4m) red brick wall already defines the eastern and western boundaries of the LB. This wall also defines the boundary between the appeal property and the neighbour to the east, Lower Lawn Barn, which has been converted to a dwelling. The proposed wall would be in keeping with this existing wall and would be attached to it.
8. For these reasons the proposed wall, which would reasonably secure the privacy of the appeal property's new rear garden, would be acceptable because it would not harm the significance of the Old Manor House.
9. The appellant has provided a photograph of a brochure setting out the red brick to be used ('Olde Reclamation Clamp'), which would seem to be acceptable. However, the Council has asked that a specific condition be attached to any LB consent requiring samples of all the wall's materials including the bricks. I consider this to be necessary and reasonable in order that the design and appearance of the wall preserves the setting of the LB and reflects the character of the appeal property and Lower Lawn Barn (see Schedule of Conditions below). For the reasons given above I conclude that the proposed wall would be acceptable and that the appeals should be allowed.
10. Policy EQ2 of the South Somerset Local Plan 2006-2028 (LP) requires development to be of a high quality, which promotes the District's local distinctiveness and Policy EQ3 similarly requires it to safeguard the significance of heritage assets including LBs. For the above reasons the proposal would comply with these Policies, and with similar policy in Chapters 12 and 16 of the National Planning Policy Framework.

*Nick Fagan*

INSPECTOR

## **Schedule of Conditions**

### Planning Permission Condition

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.

### Listed Building Consent Conditions

- 1) The works authorised by this consent shall begin not later than three years from the date of this consent.
- 2) No work shall be carried out on site unless full details of the new brick walls, including the materials (sample to be provided), copings, coursing, bonding, mortar profile, colour, and texture along with a written detail of the mortar mix, have been provided in writing; this shall be supported with a sample panel to be made available on site and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the agreed details, and the sample panel shall remain available for inspection throughout the duration of the work.

---

*End of Conditions*