
Appeal Decisions

Site visit made on 25 February 2015

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

Decision date: 23 April 2015

Appeal A: APP/R3325/A/14/2227481

38 Lower Street, Merriott, Somerset, TA16 5NN

- 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 Jane Goodwill against the decision of South Somerset District Council.
 - The application Ref: 14/03679/FUL, dated 11 August 2014, was refused by notice dated 1 October 2014.
 - The development proposed is a single storey rear extension and the insertion of a new dormer window to the existing thatched roof.
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Appeal B: APP/R3325/E/14/2227475

38 Lower Street, Merriott, Somerset, TA16 5NN

- 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 Jane Goodwill against the decision of South Somerset District Council.
 - The application Ref: 14/03680/LBC, dated 11 August 2014, was refused by notice dated 1 October 2014.
 - The works proposed, as described on the application form, comprise a single storey rear extension and the insertion of a new dormer window to the existing thatched roof.
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Decisions

Appeal A: APP/R3325/A/14/2227481

1. The appeal is dismissed insofar as it relates to the proposed single storey rear extension. The appeal is allowed insofar as it relates to the insertion of a new dormer window to the existing thatched roof and planning permission is granted for that at 38 Lower Street, Merriott, Somerset, TA16 5NN, in accordance with the terms of the application, Ref: 14/03679/FUL, dated 11 August 2014, and the plans submitted with it so far as relevant to that part of the development hereby permitted.

Appeal B: APP/R3325/E/14/2227475

2. The appeal is dismissed.

Preliminary Matters

3. Notwithstanding the description of works set out above in relation to Appeal B, listed building consent has already been granted for the proposed dormer window and it has been constructed. The Council has also not objected to the dormer window which is part of the development proposed under Appeal A. I shall consider the appeals accordingly.
4. Since submission of the appeals the Council has adopted the South Somerset Local Plan (2006-2028). Policy EH3 from the previous version of the South Somerset Local Plan adopted in 2006 has thus been superseded and replaced by new policy EQ3. However, the historic environment protection aims of both policies are very similar. Therefore in development plan terms the change to the policy circumstances has not prejudiced the cases of either party.

Main Issue

5. The main issue is the effect of the proposal on the special interest of the building which is listed grade II and on the character and appearance of the Merriott Conservation Area.

Reasons

6. The appeal building is a small cottage dating from the 17th century, listed together with nos. 40 and 42 as one building possibly being a single house originally and then extended. It is constructed from Ham stone roughly cut and squared with ashlar dressings. The main roof is thatched. A single storey rear lean-to has a clay tile roof that slopes down from the underside edge of the thatch following the pitch of the main roof. Despite modern patio doors in the lean-to and a small flat roof kitchen extension cut into the tile roof, probably inserted in the 1950's, the rear of the house largely retains a simple and traditional form that is important to its special interest and significance.
7. The appeal property and its neighbours are typically older vernacular village houses with pitched thatch or tiled roofs set at the back of a narrow footway. It is their relationship with the street scene and the public realm that defines the character and interest of the Conservation Area. The backs of the buildings do not contribute much to these qualities. As the proposals would be confined at the rear of the house they would not harm the overall appearance of the Merriott Conservation Area.
8. In terms of the effect of the alterations and extension proposed on the special interest of the building itself, there would be no objection to removing the existing flat roof projection and the new eyebrow dormer window sits neatly and discretely within the thatch. However, the flat roof of the larger extension proposed would cut awkwardly into more of the sloping tile roof. Moreover, the new dining/day room would be large and the rolled edge of the new lead effect roof would have a thick profile that would give the extension a top heavy appearance. Overall the existing pleasingly simple composition of the rear of the building would be overwhelmed by a bulky and uncompromising extension and would fail to preserve the special interest of the listed building.
9. There would thus be conflict with the heritage asset protection aims of policy EQ3 from the South Somerset Local Plan (2006-2028). In the terms of the National Planning Policy Framework (NPPF) the harm caused to the significance

- of the listed building would be less than substantial. There would, however, be real and serious harm which requires clear and convincing justification.
10. The other examples of flat roof extensions to listed buildings referred to in support of the proposal are noted. However, at the property called Midway the scale of the house appeared to be greater and it seemed to have had a number of previous inappropriate alterations. Wilton House was also a much larger property and a different style. The other cases are not thus directly comparable with this appeal scheme. Accordingly they have limited weight. Also each case should be determined on the basis of the individual special interest that a building possesses.
 11. It is appreciated that the appellant wishes to provide a larger well lit extension to meet the needs of friends and family members who have reduced mobility and sensory loss issues. However, the fabric of the building does not appear to be at risk and these personal reasons are not public benefits sufficient to outweigh the great weight that must be attached to the conservation of the heritage assets.
 12. Because the new dormer window is a discrete part of the proposal and it would be acceptable from a planning point of view I shall grant planning permission for this part of the development only. As the development has already been carried out there is no need for any conditions. I could have done the same in relation to Appeal B. However, there would have been little point as the dormer window already has listed building consent. Subject to this arrangement, having had regard to all other matters raised, it is concluded that Appeal A should partially succeed and Appeal B should be dismissed.

Gareth Symons

INSPECTOR