

Appeal Decision

Site Visit made on 26 January 2021

by Mr Martin Allen BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 February 2021

Appeal Ref: APP/R3325/D/20/3262779

6 Brettingham Court, Gas Lane, Hinton St. George, TA17 8RY

- 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 John Davey against the decision of South Somerset District Council.
 - The application Ref 20/02380/HOU, dated 20 August 2020, was refused by notice dated 23 October 2020.
 - The development proposed is the erection of a timber Trellis Fence with timber gates.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The parties agree that the fence has already been erected and I observed this to be the case. I have dealt with the appeal on this basis.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area, including the setting of Brettingham Court, a Grade II listed building, and the Hinton St. George Conservation Area.

Reasons

4. The appeal site forms part of Brettingham Court, a Grade II listed building. The significance of this designated heritage asset lies, in part, in it being a fine example of a kitchen courtyard, albeit that it has been remodelled in the past. I observed it to be an attractive building with formally arranged windows to both the ground and first floors. The appreciation of the building as a whole, together with its detailing, was enriched by the presence of the generally open appearance of the grounds.
5. The site also lies within the Hinton St. George Conservation Area. I observed that the significance of this designated heritage asset lies, in part, due to the high-quality townscape and traditionally designed properties within the village. There was some variety to the method of enclosure of properties, with some open to the village road and others not. There was however a consistency in the use of traditional and sympathetic boundary treatments.
6. The fencing and gates are positioned parallel to the side wall of the listed building and comprise timber fencing and trellis panels interspersed with gates. The development is one of the first features visible when entering the grounds of the listed building along the vehicular access. Moreover, it is located alongside an existing open parking court. Whilst there are garages within this area, there is a sense of spaciousness to the location which the appeal scheme degrades. It is an

overly prominent feature, comprising an alien and unsympathetic means of enclosure, which appears incongruous against the backdrop of the listed building and within the open nature of the site. It was also apparent that the trellis element, while allowing some views through, serves to impair views of the listed building and its distinctive fenestration pattern, thereby diminishing the appreciation of the heritage asset.

7. I note reference to adding planting to the trellis in order to soften its appearance, however this would only serve to exacerbate the screening effect of it, further diminishing the ability to visually appreciate the listed building. I noted that there was other trellis and fencing near to the site of the appeal scheme. However, this was generally lower in height and was not as prominent or expansive. Thus, I do not find them comparable to the scheme that is before me.
8. I acknowledge that there is a concrete plinth behind the fencing which is now obscured from view. Yet, this is a low-level feature which would not have a comparable visual effect to the fencing that has been erected. The screening of this plinth is not therefore a matter which justifies the harm I identify above.
9. Accordingly, the scheme is harmful to the character and appearance of the area, including the setting of Brettingham Court and the Hinton St. George Conservation Area. Thus, it conflicts with policies EQ2 and EQ3 of the South Somerset Local Plan (2015), insofar as they seek to ensure development preserves or enhances the character and appearance of the district and that development safeguards the significance, character, setting and local distinctiveness of heritage assets. The scheme would also conflict with the guidance of the National Planning Policy Framework.
10. In causing harm to the setting of the listed building and failing to preserve the character and appearance of the conservation area, I find that the scheme would result in less than substantial harm to designated heritage assets. As required by paragraph 196 of the National Planning Policy Framework, I have had regard to any public benefits of the proposed development. However, any such benefit is not sufficient to outweigh the harm that I have identified.

Other Matters

11. There would be benefits to the occupiers of the residential unit in terms of an increase level of privacy when using the outdoor space on the concrete plinth. Furthermore, I note the lack of objection of interested parties. There is also reference to the fence being erected to screen views of the nearby garages for occupiers. Nonetheless, the outlook to these buildings is not such that it would result in unacceptable living conditions for occupiers. When taken together, these matters are not sufficient to outweigh the clear harm that I have identified.

Conclusion

12. For the reasons given above I conclude that the appeal should be dismissed.

Martin Allen

INSPECTOR