



Appeal Decisions

Site visits made on 16 May and 13 June 2023

by J J Evans BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 June 2023

Appeal A Ref: APP/Q3305/W/22/3307851

Westholme House, Higher Westholme Road, Pilton, Shepton Mallet, Somerset BA4 4EW

- 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 M Franklin against the decision of Mendip District Council.
- The application Ref 2022/0555/HSE, dated 17 March 2022, was refused by notice dated 22 July 2022.
- The development is rebuild stone boundary wall into buttresses.

Appeal B Ref: APP/Q3305/Y/22/3307855

Westholme House, Higher Westholme Road, Pilton, Shepton Mallet, Somerset BA4 4EW

- 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 Mr M Franklin against the decision of Mendip District Council.
- The application Ref 2022/0733/LBC, dated 17 March 2022, was refused by notice dated 22 July 2022.
- The works are rebuild stone boundary wall into buttresses.

Decision

1. Appeal A: the appeal is allowed and planning permission is granted for the rebuilding of the stone boundary wall into buttresses at Westholme House, Higher Westholme Road, Pilton, Shepton Mallet, Somerset BA4 4EW, in accordance with the terms of the application Ref 2022/0555/HSE, dated 17 March 2022, and the plans numbered Location plan (dwg no PL4718/1), Block Plan (dwg no PL4718/2), Wall A (Pre) Existing Elevations (dwg no PL4718/3), and Wall A Proposed Elevations (dwg no PL4718/4).
2. Appeal B: the appeal is allowed and listed building consent is consented for the rebuilding of the stone boundary wall into buttresses at Westholme House, Higher Westholme Road, Pilton, Shepton Mallet, Somerset BA4 4EW, in accordance with the terms of the application Ref 2022/0733/LBC, dated 17 March 2022, and the plans submitted with it.

Application for Costs

3. An application for costs was made by Mr M Franklin against Mendip District Council. This application is the subject of a separate decision.

Preliminary Matters

4. As set out above, there are two appeals on the same site, one seeking planning permission and the other listed building consent. I have considered each on its individual merits, although to avoid duplication I have dealt with the two schemes together, except where otherwise indicated.
5. Westholme House is a grade II* listed building. The wall that is the subject of this appeal has been regarded as curtilage listed by the main parties, and based on the evidence before me, including what I saw at my site visits, I have no reason to disagree. Consequently, as required by Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) I have paid special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.

Main Issues

6. The main issues for both appeals are whether the works would preserve a grade listed building or its setting and any features of special architectural or historic interest which it possesses, having regard to the effect of the works on the character and appearance of the area.

Reasons

7. Westholme House is an eighteenth century house positioned within landscaped grounds, and is a striking example of a classically styled country house, constructed from predominantly ashlar stone under a hipped slate roof. Positioned upon a steeply sloping hillside, the house has elegantly mannered symmetrical principal and garden elevations. To the north of the house is an extensive range of outbuildings, including stables and carriage houses, whilst to the south and east there are gardens that step down the hillside towards a pond. On the other side of the valley is an extensive woodland comprising a mix of native and non-native evergreen and deciduous species. Beyond these woods are fields that show evidence of parkland tree planting. Surrounding the gardens, woods and parkland fields is an estate wall comprising local stone under a cock and hen top. The wall is part of the distinct hierarchy of buildings and structures that defines and services the country house. The high quality, elegant form and materials of the house, and the deliberate functional and social relationship of it with its outbuildings, including with the estate wall, are all part of the significance of this listed building and its curtilage listed structures.
8. The section of wall that is the subject of the appeals is to the northern side of Perridge Hill, and separates the woodlands of the house from this road. The wall is set back from the road behind a verge, and it forms part of the long, continuous line that extends from The Lodge to a field gateway further to the south. Constructed of stone with a cock and hen top, the rebuilt section is in part of the wall that is mostly over 2m in

height. In addition to this section of wall, there other long, tall lengths in the area, including to one side of Higher Westholme Road and another section further down the slope of Perridge Hill.

9. The tall height of the wall and its long, continuous lengths near to public highways makes the estate wall a distinctive local feature. Part of the special interest of the wall is its legible function in delineating and separating the grounds of Westholme House from the public realm. The wall provides privacy for the occupiers of the house, emphasising their social status. The cock and hen top serves to cap the wall and also restrict access to the grounds. The use of local stone reflects the functional nature of the wall, and its vernacular appearance contrasts the elegant, considered materials of the house and its outbuildings. The role of the wall, the hierarchy of its materials, and its vernacular form are all part of the significance of this listed structure. The wall is an integral part of the considered design and functioning of the house and its grounds, and a feature that emphasises the high status of the estate and its occupiers.
10. From the evidence before me it appears that a section of the wall collapsed due to storm damage. I saw at my visit that the section has been rebuilt, using coursed, rough dressed natural stone with a cock and hen finish. To the rear, the sharp descent of the hillside towards the water course is such that coursed rubble stone buttresses have been constructed to provide support. These buttresses are robust features, having a functional appearance and they are constructed of stone to match the wall. Near the repaired section there are other historic buttress-like works that have occurred to support the wall. The height of the rebuilt section continues the height of that to either side, thereby retaining the physical imposition of the wall within the area. The use of local stone also respects and enhances the local identity. As such the repairs retain the visual imposition of the wall and the contribution it makes to the character and appearance of the area.
11. The use of dressed stone has a crisp, fresh appearance that contrasts strongly with the muted tones of the older sections to either side. The appellant has explained that the stone had weathered poorly, with approximately 50% of the original stone being re-used and the new stone coming from a local quarry. The loss of so much historic fabric is regrettable. However, much of the historic stone in the wall shows evidence of heavy weather erosion, with hollowed and fragmented stones frequently apparent. There are several places where the cock and hen stones have disintegrated to a much-reduced size, with some sections having completely disappeared. Wire-brushing and dressing the salvaged stone would have removed the weathered faces of the historic fabric and in doing so would have created a fresh surface. Notwithstanding this, the use of local natural stone harmonises with the stone in the historic sections of the wall along Perridge Hill. In due course it would weather and lose its bright appearance, thereby

- complementing the muted tones of sections either side and maintaining the distinctive local identity that arises from the use of the stone.
12. Compared to some parts of the historic wall there is a greater uniformity of stone sizes in the rebuilt section, with the coursing having a more rhythmical appearance. However, there are some irregularities present within the coursing, particularly at a lower level, and this reflects other parts of the wall. There is a visible join between the new and old, and the coursing and stone sizes has responded to this. Moreover, within the long lengths of the wall along Perridge Hill and along Higher Westholme Road there is evidence of both historic and more recent repairs. There are parts of the wall with rough dressed stone and a strongly coursed form comprising more regularly sized and shaped stones, whilst other sections have a loose coursing with stones of more random sizes. The rows of the rebuilt section appear prominent at the current time due to their new, pristine appearance, but in due course the rebuilt section would weather and harmonise with the historic fabric, as has occurred elsewhere.
 13. The cock and hen top has a regular appearance, both with regard to the size of the stones and their spacing, and this is particularly noticeable given the irregular nature of the historic topping either side. However, much of this irregularity derives from the weathering of the stones, and along the wall there is a great variety in the nature of the capping. There are stretches where there is little if any difference in the height of the stones with the cock and hen having disappeared. In other places there is a regularity of size and spacing with the top having the characteristic form. Along the lengths of the estate walls, including those along Perridge Hill, there are wide irregularities present in the historic capping, but these are due to the quality of the stone and its robustness to weathering. Given this, the new capping has replicated those sections that have retained a degree of integrity, both with regard to stone breadth, height and spacing.
 14. The wall makes a clear visual statement in the area in that it delineates the estate of Westholme House. The vernacular form of the wall, its long length and its height, along with its proximity to the public highways make the functional role of the wall blatantly legible. The separation of the public and private realm in such an abrupt way serves to emphasise the exclusive social status of the occupiers of the house. The wall has been positioned so as not to be visible from the house and gardens, and this is a carefully considered aspect of its placement. There are few public views of the house, and when in the woodland near the repaired section there are only glimpses of the house through the trees. The woodland would have grown over the years to conceal the house, and the highest sections of the wall are where the topography would afford views of the house from the public highway.
 15. This deliberate functional role of the wall to provide privacy at the same time as being concealed from views from the house is part of the

significance of the relationship of these listed buildings. The repairs and buttresses cannot be seen from the house, and the works do not harm the hierarchy of the relationships that exist with regard to the supremacy of the house over its ancillary buildings and structures.

16. For these reasons the works would preserve the listed buildings and their settings, and the features of special interest which they possess, and in doing so would not harm the character and appearance of the area. The works would accord with the duties of the Act and with the requirements of Policies DP1, DP3, and DP7 of the Mendip Local Plan (2014). These policies seek, amongst other things, that development is appropriate to its context, that which maintains and enhances local identity and distinctiveness, and that which preserves the significance and setting of heritage assets, thereby reflecting objectives of the National Planning Policy Framework.

Conditions

17. The Council have not suggested conditions as the works have been undertaken. Conditions for the commencement and details of materials do not need to be imposed, and the relevant plans have been cited on the planning permission decision in the interests of clarity. Such a requirement is not necessary for the listed building consent, as the consent is for the works and plans as approved, as set out in the formal decision.

Conclusion

18. Thus, for the reasons given above and having considered all other matters raised, the appeals are allowed.

J J Evans

INSPECTOR