
Appeal Decision

Site visit made on 3 March 2026

by V Simpson BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 May 2026

Appeal Ref: APP/E3335/W/25/3376101

Land Os 4025, Frost Lane, Ilton, Ilminster, Somerset TA19 9EU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant consent, agreement or approval to details required by a condition of a planning permission.
 - The appeal is made by Mr Andy Reed against the decision of Somerset Council.
 - The application Ref 25/01855/REM sought approval of details pursuant to condition No 3 of planning permission Ref 23/02332/OUT, granted on 6 December 2024.
 - The application was refused by notice dated 8 October 2025.
 - The development proposed is the erection of one self-build dwelling.
 - The details for which approval is sought are: access, appearance, landscaping, layout and scale.
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Decision

1. The appeal is dismissed and approval of the reserved matters is refused, namely: access, appearance, landscaping, layout and scale details submitted in pursuance of condition 3 attached to planning permission Ref 23/02332/OUT - dated 16 December 2024.

Application for costs

2. An application for costs has been made by Mr Andrew Reed against Somerset Council. This application is subject of a separate decision.

Preliminary Matters

3. On 6 December 2024, planning permission was granted for: 'Outline Application with all matters reserved for the erection of one self-build dwelling'¹ (the planning permission). Following this, an application seeking the Council's agreement to the reserved matters i.e. access, appearance, landscaping, layout and scale² was made. That application, which the Council refused, is the subject of this appeal.
4. For the avoidance of doubt, a reserved matters application is not a further application for planning permission. As such, there is no scope to reconsider matters which have or should have been dealt with at the outline stage.
5. In reaching my decision, I have exercised my statutory duty under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 – as amended.
6. Notwithstanding the description of the proposed development on the planning permission, it is understood that there is no relevant legal agreement or planning condition to ensure that the dwelling would be delivered as self build and custom housebuilding – as defined in the Self-build and Custom Housebuilding Act 2015 –

¹ Planning permission reference 23/02332/OUT

² Application reference 25/01855/REM

amended by the Housing and Planning Act 2016 (the Acts). That being the case, I cannot be certain that the dwelling subject of the planning permission would be delivered as affordable housing as defined by the Acts, and I proceed on the basis that the associated benefits are not assured.

7. At the final comment stage, the appellant provided an amended proposed block plan and an amended proposed elevations plan. These seek to correctly label the elevations, and to show an alternative car parking and manoeuvring arrangement from that which was before the Council at the time the application was determined.
8. The Government's Planning Appeals procedural guidance³ advises that if an appeal is made, the appeal process should not be used to evolve a scheme. However, and notwithstanding considerations related to the scales of these plans, the proposed amendments are minor in nature and would not amount to a substantial difference to the scheme. Moreover, the Council has had the opportunity to comment on the amendments. That being the case, I am satisfied that no parties would be prejudiced by my decision to accept the amended plans.

Main Issues

9. The main issues are whether the reserved matters details submitted are acceptable in respect of;
 - the effect of the development on the character and appearance of the area;
 - the effect of the development on highway safety; and
 - whether the scheme would preserve the settings of the Grade II* Listed Building - Church of St Peter, and the Grade II Listed Building - Merryfield House.

Reasons

Character and appearance

10. The residential properties closest to the appeal site are of a variety of ages, scales, and designs, and they incorporate a range of different external materials - including thatched and tiled roofs, and stone, render and timber-faced sections of walling. Nevertheless, the generally modestly sized, regularly proportioned and conventionally located windows within many of these properties, are a unifying factor between them. Furthermore, this distinctive feature contributes positively to the relatively traditional character and appearance of the part of the village close to the appeal site.
11. Albeit with small amounts of solid relief, 2 wide sections of glazing would extend from the ground level of the dwelling right up to the eaves under the ridges on the front elevation. A large multipaned window in the roof, and a wide floor-to-ridge-level glazed opening at first-floor level, would also be formed in the rear elevation. These glazed openings would therefore be prominent features on the dwelling.
12. The siting of the dwelling would broadly align with the 2 closest neighbouring houses that are accessed off the same private drive, and it would have a similar scale and form to them. However, the large expanses of proposed glazing would be incongruous with the more modestly sized and regularly shaped windows within these neighbouring dwellings, as well as other windows and openings commonly

³ Procedural Guide: Planning appeals – England. For appeals relating to applications dated on or before March 2026

found in the area. Consequently, the glazing within the proposed dwelling would cause harm to the character and appearance of the area.

13. No schedule of proposed external materials has been provided. Nevertheless, the proposed plans show that the dwelling would have a grey tiled roof, and that the external faces of the walls would be a mix of brown-coloured vertical cladding and grey-coloured render or panelling. Given the range of external facing materials observed in nearby buildings, the proposed external materials would not be discordant. However, and in common with my findings regarding the siting, scale and form of the dwelling, this is a neutral consideration.
14. For the reasons given, the reserved matters details submitted are not acceptable as the resultant development would cause harm to the character and appearance of the area. Consequently, and insofar as it is relevant to this main issue, the development would not comply with policy EQ2 of the South Somerset District Council South Somerset Local Plan 2006-2028 - adopted March 2015 (the Local Plan). Amongst other things, this policy seeks to ensure that development is of a high design quality which promotes local distinctiveness.

Highway safety

15. 3 car parking spaces would be provided within the appeal site. This number complies with the relevant optimum parking standards for residents, as outlined in the Council's parking strategy⁴. However, although some tracking information has been provided on the proposed block plan, it has not been demonstrated that there is sufficient space for cars travelling to the site to turn such that they could then exit onto the nearby public highway in forward gear. Moreover, even if there would be enough space on the proposed hardstanding for vehicles to turn when one or more cars were parked within the site, I am unconvinced that there would be sufficient room for the vehicle parked in the space closest to the house to turn, and especially so at times when cars would be parked in the other spaces. This is due to the constrained size and the layout of the proposed hardstanding.
16. Therefore, and in the absence of compelling evidence to the contrary, it is likely that the implementation of the proposed access arrangements would lead to at least some cars exiting the site in reverse. Furthermore, unless suitable provision was made for such vehicles to turn within or off County Way – which has also not been demonstrated, these vehicles would have to reverse out onto the public highway. Moreover, and even if the stretch of public road passing the County Way junction is not heavily trafficked or routinely used by fast-moving vehicles, visibility when entering onto this road in reverse would be greatly restricted by nearby development. Such a manoeuvre would therefore lead to a harmful increase in the risk of collisions at this junction.
17. That being the case, the reserved matters details are not acceptable, as the resultant development would cause harm to highway safety and therefore conflict with policies TA5 and TA6 of the Local Plan. Together and amongst other things, these policies require new development to provide parking and access that does not compromise the safety of the local road network.

Listed buildings

⁴ Somerset County Council – Transport Policies – Parking Strategy – September 2013

18. Part of a field and hedgerows separate the appeal site from the Grade II listed Merryfield House⁵, beyond which is the Grade II* Listed Church of St Peter⁶ (the Listed Buildings). According to their official list entries, the stone built Anglican parish church retains some 12th and 13th century fragments, but also incorporates elements from the 14th century onwards, and much of the large detached former vicarage at Merryfield House dates from the late 19th century. Both buildings also include high-quality architectural detailing and materials. Therefore, these buildings have both historic and architectural interest as well as a collective group value, from which much of their significance as designated heritage assets is derived. Nevertheless, as a historic village church and an associated former vicarage, these Listed Buildings also gain some significance from their wider settings, which include the houses and agricultural land within their backdrops. Furthermore, when taken together, these previously identified special qualities support the status of the Church of St Peter as a designated heritage asset of the highest significance.
19. Even if the dwelling subject of the reserved matters details would be visible from locations within the curtilages of the Listed Buildings, it does not necessarily follow that harm would be caused to the significance of either. Moreover, and notwithstanding my previous findings in respect of the proposed glazing, the scale of the proposed dwelling is similar to the 2 nearest houses on County Way, and it would broadly align with them. As such, and given both the separation distance between the house and the Listed Buildings and the variety in the design and materials found in other houses that are within their settings, the appearance, layout and scale of the proposed dwelling would not cause harm to the significance of either of the Listed Buildings.
20. For these reasons, the settings of the Grade II* listed building Church of St Peter and the Grade II Listed Merryfield House would be preserved. That being the case, and in respect of this main issue, the reserved matters details are acceptable. Consequently, the scheme would comply with policy EQ3 of the Local Plan, which amongst other things, requires development proposals to safeguard the significance, character, setting and local distinctiveness of heritage assets.

Other Matters

21. The appeal relates to a reserved matters application, not an application for planning permission. That being the case, the main considerations are whether the submitted details comply with the relevant development plan policy tests related to those matters which are reserved. Local Plan policies TA5, TA6, EQ2 and EQ3 broadly conform with the National Planning Policy Framework, and they are not out of date.
22. Therefore, and notwithstanding the economic, social and environmental benefits that would result from the construction of a house on the appeal site, I have no doubt that the same benefits could be achieved from an alternative policy compliant scheme in respect of character and appearance and highway safety considerations. Consequently, there are no material considerations that would indicate a decision other than in accordance with the development plan.

⁵ Official list entry number: 1345866

⁶ Official list entry number: 1057052

23. While the reserved matters details would not cause harm to the significance of the Listed Buildings, this is a neutral consideration.

Conclusion

24. The proposed reserved matters details conflict with the development plan, and the material considerations do not indicate that the appeal should be determined other than in accordance with it. I therefore conclude that this appeal should be dismissed.

V Simpson

INSPECTOR