



Appeal Decisions

Site visit made on 16 June 2025

by **Andrew Smith BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24 June 2025

Appeal A Ref: APP/E3335/W/25/3362607

Ebenezer Chapel, High Street, Buckland Dinham, Somerset BA11 2QT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Ian Marlow against the decision of Somerset Council.
 - The application Ref is 2024/0788/HSE.
 - The development proposed is described as: '1.5-storey extension to an existing one-bedroom converted chapel situated in Buckland Dinham, Somerset. The extension will replace the current single-storey lean-to side extension following its demolition'.
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Appeal B Ref: APP/E3335/Y/25/3362610

Ebenezer Chapel, High Street, Buckland Dinham, Somerset BA11 2QT

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mr Ian Marlow against the decision of Somerset Council.
 - The application Ref is 2024/1081/LBC.
 - The works proposed are described as: '1.5-storey extension to an existing one-bedroom converted chapel situated in Buckland Dinham, Somerset. The extension will replace the current single-storey lean-to side extension following its demolition'.
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Decisions

1. Appeal A is allowed such that planning permission is granted for 1.5-storey extension to replace a current single-storey lean-to side extension following its demolition at Ebenezer Chapel, High Street, Buckland Dinham, Somerset BA11 2QT in accordance with the terms of the application, Ref 2024/0788/HSE, subject to the conditions set out in the attached schedule.
2. Appeal B is allowed such that listed building consent is granted for 1.5-storey extension to replace a current single-storey lean-to side extension following its demolition at Ebenezer Chapel, High Street, Buckland Dinham, Somerset BA11 2QT in accordance with the terms of the application, Ref 2024/1081/LBC, subject to the conditions set out in the attached schedule.

Preliminary Matters

3. These decisions address planning and listed building consent appeals for the same site and the same scheme. Whilst the remit of each regime is different, the main issues set out below relate to both appeals. To reduce repetition and for the avoidance of doubt, I have dealt with both appeals together within a single decision letter whilst having regard to the statutory duties that apply under Sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

4. It is apparent that the Council chose to amend the descriptions of development and works given on the respective application forms for the purposes of publicising and determining the proposals. However, it must be borne in mind that the applicant/appellant sought specific permission/consent for the development/works which he described. The descriptions given on the application and appeal forms, which include references to a 1.5 storey building height, are clear and satisfactorily reflect the proposals put forward. Indeed, first floor floorspace would utilise the roof space of the extension. As such, whilst omitting some elements of superfluous text, I have used the original descriptions for the purposes of my decisions.

Main Issues

5. The main issues, common to both appeals, are whether the proposed development and works would preserve the Grade II listed building known as 'Ebenezer Methodist Chapel' (the LB), its setting, and any of the features of special architectural or historic interest that it possesses; and whether the proposed development and works would preserve or enhance the character or appearance of the Buckland Dinham Conservation Area (the CA).

Reasons

The LB

6. The LB, a former chapel now converted to a dwelling, is of coursed/squared rubble construction with a pitched tiled roof. It has 18th-century origins according to the statutory list description but was rebuilt and is dated 1811. Its significance and special interest as a designated heritage asset is drawn, in-part, from its age, its relevance to the historic evolution of the village and its role and function as a social landmark. This significance and special interest is further underpinned by its traditional external-facing materials, and its array of characterful original architectural features. These features include – to the front façade – a grand central door topped with segmental stone pediment, continuous decorative string courses, and a symmetrically arranged array of timber sash windows set within moulded stone architraves.
7. The asset has a constrained setting in lieu of its setback positioning relative to the streetscene. The external area where the extension would be placed comprises a part of this setting. It currently accommodates a small agglomeration of low-level timber sheds that have a low-key presence and that are intended to be demolished.
8. The proposed extension would necessitate the removal of a modern single-storey brick-built lean-to addition to the east, but – importantly – no losses of historic fabric are intended. Moreover, no new apertures would materialise, and a single-storey element of predominantly glazed composition and diminutive scale would provide a light-touch connection to the LB. Indeed, this glass-fronted link would assist in ensuring that a clean and obvious distinction between historic built form and new development be readily appreciable. It would also promote the perception of breathing space to the immediate east of the asset in a manner not presently replicated in lieu of the existing lean-to.
9. Concerns have been raised that the main body of the extension would visually compete with and detract from the character and appearance of the host property, which has a formalised Georgian street-facing façade distinct from the local vernacular so as to emphasise its significance. However, there are various factors

that would ensure that the extension would be read as a subservient and non-domineering addition. These include its placement noticeably stepped back behind the front building line, its somewhat modest footprint coverage, and an intended full height that would rise to merely the approximate eaves height of the converted chapel.

10. Further, I see merit in the suggestion made that the proposed arched front façade would foster a creative dialogue between old and new whilst enhancing the aesthetic diversity of the site. Indeed, the arched design would represent a contemporary interpretation inspired by key elements of the LB – most particularly its segmental stone pediment. Moreover, even though references to historic features comprise an integral part of the detailed design, the interesting and creative roof form with curved parapet and zinc covering would – to my mind – assist in guarding against the occurrence of an uncomfortable pastiche or inauthentic mimicry. I also find that, notwithstanding the intended composition of the rear-facing elevation, no excessive use of glazing is proposed across the scheme.
11. It is the appellant's preference that handmade buff bricks with recessed mortar be utilised as the principal elevation materials, as is stipulated upon the Proposed Elevations plan. The rationale for this is based on seeking to ensure a clear distinction between the former chapel and the new extension whilst aiming to maintain visual harmony. However, buff bricks do not comprise a part of the local vernacular and would be unlikely to suitably harmonise with the historic stone exterior of the LB.
12. Nevertheless, as set out in his Appeal Report, the appellant is open to utilising a compatible brick-sized stone alternative in conjunction with tight jointing and back-bedding techniques. A solution of this type or similar, which would enable the aim of maintaining a subtle contrast with the stonework of the former chapel to be achieved, has merit and is supportable on the basis that the use of brick-sized stone as a substitute for handmade buff bricks can be adjudged not to materially evolve the respective proposals for development and works that are before me for determination.
13. In summary, the proposals represent an innovative response to the relevant heritage constraints at play, would avoid any substantive loss of historic fabric, would not over-dominate the LB, and would read as a non-intrusive, distinctive and sympathetic new built phase to the property. I therefore find that the proposed development and works would preserve the LB, its setting, and any of the features of special architectural or historic interest that it possesses. The scheme accords with Policy DP3 of the Mendip District Local Plan 2006-2029 Part 1: Strategy and Policies (the MDLP) in so far as it sets out that proposals will be supported which preserve the significance and setting of the district's Heritage Assets.

The CA

14. The significance and special interest of the CA as a designated heritage asset is drawn, in-part, from its array of featureful stone-built historic buildings and the often open and green nature of its fringes and wider surroundings which promote that the CA's rural origins are easily interpreted.
15. The LB, whilst setback from High Street, is an important building within the CA that makes an indisputably positive contribution to its character and appearance.

Indeed, views of its attractive front façade are available between buildings from High Street. The proposed extension in contrast, would occupy a discreet and setback position to the side of the LB such that only upon ascension of the property's driveway would it emerge into view. Furthermore, in accordance with reasoning set out above and on the basis of a stone-led palette of external facing materials, the extension would be suitably respectful of the converted chapel and wider surroundings in terms of its design, scale, massing and materiality. Of note also, no established planting of prominence would be removed as a consequence of development.

16. As such, the proposed development and works would preserve the character and appearance of the CA. The scheme accords with Policies DP1 and DP3 of the MDLP in so far as they set out proposals should contribute positively to the maintenance and enhancement of local identity and distinctiveness across the district and will be supported where they preserve the significance of the district's Heritage Assets.

Other Matters

17. Upon inspection, I gave due regard to the relationship that would avail between the extension and neighbouring residential development to the south. On the basis of the orientation of the site, the separation distances to be achieved, and the height/massing of development under consideration, I am satisfied that harmful overshadowing/overbearing impacts would not arise. Similarly, on the basis that a proposed south-facing circular window would be situated above eye level in the bedroom it would serve, harmful overlooking effects would not be anticipated to occur. Even so, in the interests of prudence and to guard against any undue perception of overlooking, it would be reasonable to impose a condition upon any planning consent to ensure that this window is obscure glazed.
18. Concerns have been raised with respect to the construction phase and the suitability of the property's driveway to accommodate construction traffic. However, owing to the small scale of development under consideration, a high volume of construction traffic would not be fairly anticipated over a sustained period of time and there is no clear reason to consider highway safety would be prejudiced. This is especially so given the on-site area to the front of the former chapel that would be expected to be available for manoeuvring vehicles. Further, there is no obvious reason to consider property damage or excessive dust disturbance to be likely. It is reasonable, however, to impose a condition upon any planning consent to control the timing of construction noise emissions from the site in the interests of protecting neighbouring living conditions.
19. There is no clear reason to consider that the scheme, which involves limited development upon a gravelled part of the appeal property's grounds, would have an adverse effect upon wildlife.
20. As the proposals are centred upon making improvements to the appellant's own home, very limited public benefits would be accruable from the scheme. However, in the absence of identifiable harm to the heritage significance of any designated heritage asset, this matter is not decisive to the outcome of either appeal. Moreover, the proposal that is the subject of Appeal A accords with the development plan when read as a whole and material considerations do not lead me to a decision otherwise.

Conditions

21. Draft lists of potential planning and listed building consent conditions have been provided by the Council, which I have considered against advice in the National Planning Policy Framework (December 2024) and Planning Practice Guidance. As a result, I have made amendments where necessary for consistency and clarity purposes and have added further conditions related to a time limit for commencement, the approved plans, and obscure glazing. For the avoidance of doubt, a plans condition is required in the interests of certainty.
22. In the interests of preserving the special architectural and historic interest of the LB, conditions are reasonable and necessary (with respect to either Appeal B or both appeals) that secure the submission of sample wall materials, sample roof materials, joinery details, rainwater goods/external attachment details, and details of the method of attachment to the LB.

Conclusion

23. For the above reasons, I conclude that both Appeal A and Appeal B should be allowed.

Andrew Smith

INSPECTOR

Schedule of Conditions – Appeal A

- 1) The development hereby permitted shall begin not later than three years from the date of these decisions.
- 2) With the exception of the precise specification of external walling materials as annotated upon plan Ref 502, the development hereby permitted shall be carried out in accordance with the following approved plans: 100; 200; 201; 300; 301; 500; 502.
- 3) No construction of the external walls of the development shall commence until a sample panel of all external walling materials to be used has been erected on site and approved in writing by the Local Planning Authority. The panel shall be kept on site for reference until the development is completed and development shall be undertaken in accordance with the approved details.
- 4) No construction of the roof of the development shall commence until samples of all external roofing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details.
- 5) No piece of external joinery shall be installed or undertaken unless full details of that piece have been first submitted to and approved in writing by the Local Planning Authority. Such details shall be at full or half scale and shall include cross-sections, profiles, reveal, surrounds, materials, finish and colour. The development shall thereafter be carried out in accordance with the approved details.
- 6) Noise emissions from the site during the development, i.e. the demolition, clearance and redevelopment of the site, shall not occur outside of the following hours: Monday to Friday: 0800-1800, Saturday: 0800-1300. At all other times, including Sundays, Bank and Public Holidays, there shall be no such noise generating activities.
- 7) The extension hereby permitted shall not be occupied until the circular window on the south elevation (as depicted upon approved plan Ref: 502) has been fitted with obscured glazing. Once installed, the obscured glazing shall be retained at all times thereafter.

Schedule of Conditions – Appeal B

- 1) The works hereby permitted shall begin not later than three years from the date of these decisions.
- 2) No construction of the external walls shall commence until a sample panel of all external walling materials to be used has been erected on site and approved in writing by the Local Planning Authority. The panel shall be kept on site for reference until the works have completed and the works shall be undertaken in accordance with the approved details.
- 3) No construction of the roof shall commence until samples of all external roofing materials have been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be undertaken in accordance with the approved details.
- 4) No piece of external joinery shall be installed or undertaken unless full details of that piece have been first submitted to and approved in writing by the Local Planning Authority. Such details shall be at full or half scale and shall include cross-sections, profiles, reveal, surrounds, materials, finish and colour. The works shall thereafter be carried out in accordance with the approved details.
- 5) No ducts, pipes, rainwater goods, vents or other external attachments shall be fitted or installed unless in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority. All such attachments shall thereafter be retained in that form.
- 6) Notwithstanding any indication on the approved plans or within submitted documentation, no works shall commence upon the construction of the approved extension until full details of the method of attachment have first been submitted to and approved in writing by the Local Planning Authority. Such details shall include a written method statement describing the proposed method of attachment and any necessary interventions to the historic fabric, scaled drawings showing the junction between the northern wall of the extension and the existing building, and a schedule of works identifying all materials and fixings to be used. The works shall thereafter be carried out only in accordance with the approved details.