
Appeal Decisions

Site visit made on 3 March 2026

by **B Phillips BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19 March 2026

Appeal A Ref: APP/E3335/W/25/3376320

Lamyatt Lodge Portway Hill, Lamyatt, Shepton Mallet, Somerset BA4 6NP

- 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 George Hallam against the decision of Somerset Council.
 - The application Ref is 2025/0453/HSE.
 - The development proposed is a single-storey extension with basement, external modifications to existing pool, landscaping & associated works.
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Appeal B Ref: APP/E3335/Y/25/3376322

Lamyatt Lodge Portway Hill, Lamyatt, Shepton Mallet, Somerset BA4 6NP

- 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 George Hallam against the decision of Somerset Council.
 - The application Ref is 2025/0454/LBC
 - The works proposed is a single-storey extension with basement, external modifications to existing pool, landscaping & associated works.
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Decision

Appeal A

1. The appeal is dismissed.

Appeal B

2. The appeal is dismissed.

Preliminary Matters

3. The appeal property is the Grade II listed building known as 'Lamyatt Lodge', I have considered the statutory duties under sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act, 1990 (the Act).
4. The appeals concern the same site and the same scheme. Although the remit of planning permission (Appeal A) and listed building consent (Appeal B) regimes are different, to reduce repetition, I have dealt with both appeals together in a single decision letter.
5. Amended and additional plans have been submitted with the appeal. These amended drawings relate only to the landscaping and exclude (or 'grey out') the originally submitted landscaping to the front of the extension in order to better focus on the built form, which remains unchanged. The new plans are three new CGI views of the extension. Given the minor nature of this alteration to the scheme, to consider it would not deprive those who should have been consulted

on the change, the opportunity of such consultation. I have therefore considered the appeal on the basis of these amended and additional plans.

6. The Council has confirmed that the appeals site is not within the Buckland Dinham Conservation Area, as stated in error in the Officer Report. As such, I have not considered this matter.

Main Issue

7. The main issue in both appeals is whether the proposal would preserve the listed building or its setting, or any features of special architectural or historic interest that it possesses, and its effect on the character and appearance of the area.

Reasons

8. The appeal property consists of a large detached two storey Grade II listed property¹ known as Lamyatt Lodge, originally a modest 18th-century rubble stone farmhouse, later enhanced with a formal Georgian frontage in the 19th century. The property was listed in 1988 and is constructed of Ashlar, with a hipped slate roof and off-ridge brick stacks. The listing description notes a symmetrical front, with a central door opening, 3 bays and 16-pane sash windows, all in shallow segmental-headed recesses, and a large lower height wing to the rear.
9. I observed that the property has been recently extended, through an infill extension² to the rear, and numerous consents have been granted for internal works. The extension replaced previous additions and is in keeping in terms of scale and design with the surrounding property. I also observed substantial works underway at various outbuildings, which have been granted permission for changes of use to accommodation for holiday makers and associated leisure facilities, including a tennis court.
10. Based on the evidence before me, I find that the special interest of the listed building to be primarily associated with its historic and architectural interests. Important contributors in these regards which are pertinent to the appeals, are its illustration and use of traditional methods of construction and materials; legibility of its incremental phased development; extant historic fabric; and key historic features and detailing.
11. The surrounding grounds are extensive, and include the numerous outbuildings, and formal landscaping, including a pool area. The garden area provides the primary surroundings within which the building is experienced. Whilst there is a pool structure on the eastern side, the generally open domestic garden setting at the side of the listed building allows the historic form of the dwelling to be experienced and therefore contributes in a positive way to its special interest. The form and separation of the outbuildings mean that they do not affect the ability to appreciate the listed building's architectural interest.
12. The proposed works and development would result in an extension on the east elevation, set over two storeys, a basement and ground floor. The extension would be connected at the ground floor to the main house through a glazed link, project into the current garden space and provide a cigar lounge, entertainment area, gym, cinema room studio and pool plant room.

¹ List Entry Number: 1274169

² Application reference 2023/1737/FUL & 2023/1738/LBC

13. The siting of the extension necessitates works and demolition to the pool area, set on a level above, which would be moved back with new stairs provided.
14. The simple contemporary design, incorporating extensive glazing, would be lightweight and visually recessive, and given its siting, would extend the contemporary part of the building avoiding any harm to historic fabric.
15. However, even if only adding 29% to the buildings footprint, the length of the extension would result in a significant addition to the building. Whilst subservient in terms of the scale of the existing two storey dwelling, the extension would approximately double the width of the existing house and result in a significant new projection on the east side. This would cover a large part of the existing lawn. Whilst not the primary or most sensitive elevation, the scale of the extension and the projection into the lawned area would compete with the main building and prevent appreciation of it. The recess from the front elevation and visual separation between historic and new fabric would not prevent the extension, when viewed from the east side or from the south west, drawing the eye and visually competing with the surviving historic core of the building. This would be the prominence of the main building when viewed from these directions.
16. Whilst designed to appear as a pavilion, the flat roofed design and amount of glazing would also starkly contrast with the existing building, further increasing the visual prominence of the addition and incongruously contrasting with the historic traditional slate pitched roof dwelling.
17. I conclude that the works and development would fail to preserve the special architectural and historic interest of the Grade II listed building, Lamyatt Lodge, and would harm its significance as a designated heritage asset.
18. Given the existing extensions to the property, I find the harm to the heritage asset to be a minor level of 'less than substantial'.
19. There would be some economic benefits brought about through the investment into the property and the construction phase. Also, social benefits would be gained through improvements to the local housing stock.
20. There is no substantive evidence before me that the continued viable use or the continuation of custodianship of the property is reliant on the proposal. This carries little weight in favour of the proposals, therefore. There is also little substantive evidence that sustainable energy efficient upgrades to the property and its sustainable use is reliant on this particular extension. As such this also carries little weight. However, given its location and the lightweight and minimal nature of the affixion to the host building, the alteration would be reversible. This carries minor weight in favour of the scheme, as does, given its limited scale, the biodiversity benefits of further landscaping.
21. Paragraph 212 of the National Planning Policy Framework (the Framework) indicates that, when considering the impact on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. On balance, in giving considerable importance and weight to the harm to the significance of this designated heritage asset, I find that this would not be outweighed by the public benefits that the proposal would generate.

22. Consequently, the harm to the significance of the designated heritage asset in these appeals has not been supported by clear and convincing justification. The works and development therefore would conflict with the statutory presumptions set out in sections 16(2) and 66(1) of the Act and fail to satisfy the historic environment conservation and enhancement policies of the Framework. There is also conflict with Policies DP1, DP3 and DP7 of the Mendip District Local Plan Part 1 2006-2029 (2014) (LP), which, amongst other matters, require development to appreciate its built context, be of high quality design and preserve and, where appropriate, enhance the significance and setting of the district's Heritage Assets.

Other Matters

23. The wrought iron railings at the frontage of the property facing the highway are also separately Grade II listed³. The early 19th century 'Railings on Roadside to Frontage of Lamyatt Lodge' were listed in 1988 along with the plinth, gate and end piers. The special interest and significance of this asset largely stem from its historic and architectural interest, but is also derived, in part, from its domestic setting. Given the position and nature of the proposed development and works and the retained frontage hedgerow, the setting of this designated heritage asset would be preserved, and its significance would not be harmed. It is noteworthy that the Council have not raised any objection in this respect. A lack of harm in this regard, however, does not alter my conclusions.
24. The examples provided by the appellant illustrate that contemporary extensions to historic buildings can be successful. For the reasons set out above, I have found this not to be the case for the proposal before me and so these examples are not directly comparable
25. The submitted Preliminary Ecological Appraisal, Bat Survey Report & Roost Assessment⁴ detected bats roosting in the existing roof structures. However, these roof elements would not be affected by the proposal, and all bat roosts will be retained. The development and works would also provide new bat boxes/bricks.
26. Were I minded to allow the appeal, the mitigation measures outlined in the submitted reports could be secured through appropriate conditions. From the submissions and my observations on site, I therefore conclude that the proposed development would not have an adverse effect upon protected species. I am satisfied with the Council's conclusion that the proposal would lead to no conflict with the protection of protected species requirements of LP Policies DP5 and DP6, in addition to the Habitats Regulations and Framework.

Conclusion – both appeals

27. For the reasons given above, I conclude that both Appeal A and Appeal B should be dismissed.

B Phillips

INSPECTOR

³ List Entry Number: 1059185

⁴ By Arbtech, updated Jan 2025