
Appeal Decision

Site visit made on 22 November 2016

by Mike Fox BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 8th December 2016.

Appeal Ref: APP/F0114/D/16/3160880

14 Gladstone Road, Combe Down, Bath, BA2 5HJ

- 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 Oliver Tollit against the decision of Bath & North East Somerset Council.
 - The application Ref 16/03287/FUL, dated 29 June 2016, was refused by notice dated 30 August 2016.
 - The development proposed is the provision of timber cladding and render to the rear extension of the dwelling to replace the existing original exterior.
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Decision

1. The appeal is **dismissed** insofar as it relates to the proposed provision of **timber cladding on the upper floor** of the rear extension at 14 Gladstone Road, Bath, BA2 5HJ.
2. The appeal is **allowed** insofar as it relates to the proposed **re-rendering of the bottom floor** of the rear extension at 14 Gladstone Road, Bath, BA2 5HJ in accordance with the terms of the application Ref 16/03287/FUL, dated 29 June 2016, and the plans submitted with it, subject to the following conditions:
 - 1) The development to which this permission relates shall begin not later than three years from the date of this permission.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans, all dated 16 June 2016: *Location Plan* Ref 007; *Site Plan* Ref 008; *Proposed South West Elevation* Ref 004; *Proposed North West Elevation* Ref 005; and *Proposed North East Elevation* Ref 006, but only in so far as they relate to the re-rendering of the bottom floor of the rear extension.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall be carried out in accordance with the approved plans.

Main Issues

3. The main issue is whether the proposal would preserve or enhance the character or appearance of the Bath Conservation Area.

Reasons

4. The appeal property is located in a cul-de-sac which in my view contributes effectively to the character and appearance of the Bath Conservation Area,

both in its period properties and extensive use of local stone as an external material. The proposal is to clad the upper story of the rear extension in vertical cedar or larch, and re-render the bottom storey. The parties agree that the re-rendering of the bottom storey would be acceptable in terms of its impact on the host property and the surrounding Conservation Area. Some of the dwellings in the road have been rendered (or re-rendered) and they do not detract from the character and appearance of the Conservation Area, and I see no reason to come to a different conclusion from the main parties in relation to this part of the appeal.

5. The upper storey of the rear extension which faces north-west is prominent in the streetscene, which is strongly characterised by traditional stone buildings and walls. The proposed vertical timber cladding would be alien to and at odds with the existing stonework on the rest of the host property and in the streetscene. It would be clearly visible from the public realm in Gladstone Road, and I am therefore in no doubt that the proposal would harm the distinctive character and appearance of the Conservation Area.
6. The statutory requirement for development to either preserve or enhance the character or appearance of Conservation Areas¹ is a strict test and it applies to all buildings within Conservation Areas, whether they are designated heritage assets or not. The proposal would not pass this test; and for the reasons I have already given it would also not accord with saved Local Plan² policy D4, which states that development will only be permitted where it responds to the local context in terms of appearance, materials, siting, spacing and layout.
7. The Appellant makes two additional points in support of the proposal; firstly that there are similar proposals nearby where a mixture of Bath stone and timber cladding have been used to great effect, in keeping with the wider context; and secondly that the existing cream coloured render across both storeys has been affected by weathering and is not now aesthetically pleasing.
8. I am not aware of the detailed circumstances of the approval of the scheme which the Appellant has submitted, although judging from the photographs, the two schemes look very different from each other. I am also unaware of the context of this scheme. In any event, each proposal needs to be assessed on its own merits. Secondly, I do not consider that the weathering has been significantly detrimental to the appearance of the appeal property, and I therefore do not consider that this is an argument in favour of the proposal.
9. I have imposed the conditions as suggested by the Council. In addition to the two standard conditions, condition (3) is to safeguard the character and appearance of the area.
10. For the reasons given above and having regard to all the other matters raised, I conclude that the appeal should be dismissed insofar as it relates to the proposed provision of timber cladding on the upper floor of the rear extension and allowed insofar as it relates to the proposed re-rendering of the bottom floor of the rear extension.

Mike Fox

INSPECTOR

¹ The Planning (Listed Buildings and Conservation Areas) Act 1990, Section 72 (1).

² Bath and North East Somerset Council Local Plan; adopted 2007.