
Appeal Decision

Site visit made on 8 September 2019

by H Porter BA(Hons) MScDip IHBC

an Inspector appointed by the Secretary of State

Decision date: 18th September 2019

Appeal Ref: APP/F0114/Y/19/3225551

150 Westfield Cottage, Bloomfield Road, Bath, Somerset BA2 2AT

- 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 C Goddard against the decision of Bath & North East Somerset Council.
 - The application Ref 18/04857/LBA, dated 23 October 2018, was refused by notice dated 12 December 2018.
 - The works proposed are formation of new vehicular access with hardstanding.
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Decision

1. The appeal is dismissed

Main Issue

2. The main issue is whether the works proposed would preserve the listed building, its setting, or any features of historic or architectural interest it possesses; and the effect of the proposal on the character and appearance of the Bath Conservation Area.

Reasons

3. The appeal relates to the boundary walls associated with the Grade II listed building known as 'Westfield Cottage, with Boundary Walls and Gateway', which is located at the corner of Bloomfield Road and Englishcombe Lane in the Bath Conservation Area. I am mindful of my statutory duties in regard to both as designated heritage assets.
4. Westfield Cottage is a detached dwelling, a former toll house of early 19th century origin that occupying an elevated position. The building's original use has evidently informed the built response to a prominent corner junction, which is reflected in the definition of public and private space. A feature of this are the high stone boundary walls, which the statutory list description identifies as subsidiary features. These enclose the private garden onto which the rear, primary elevation of the dwelling faces.
5. The significance and special interest of the listed building are derived in part from its age, architectural form and historic fabric, as well as historic origins as a toll house. The enclosed inward-facing nature of the site is also a part of the building's overall special interest. As the boundary walls add definition around perimeter of the garden, these contribute to the listed building's historic integrity, are part of its setting, and are elements that underpin its significance and special interest.

6. The Bath Conservation Area (CA) is extensive and includes Bloomfield Road, which rises to the south of the city. The character and appearance of the Bloomfield Road environs are distinguished, in part, by the steep local topography, the status of local buildings and the rich variety of its traditional townscape, which reflects the built evolution of this part of Bath.
7. The Bloomfield Road boundary wall is constructed of squared local limestone with an unbroken 'saddle back' coping. With the exception of two pedestrian gateways beneath the coping, the wall extends the entire length of the plot and is a prominent feature of the appeal site and Bloomfield Road street scene. Due to its prominence and historic association with the evolution of the area, the appeal building and associated boundary walls contribute positively to the local built-backcloth that adds to the special interest of the CA as a whole.
8. The proposal would create a three-metre-wide vehicular access towards the southwestern end of the Bloomfield Road boundary wall, framed by new stone piers with carved caps and including an automatic sliding timber gate. A level, hard-surfaced area, bounded by a low stone retaining wall would demarcate an area for parking and turning for up to two vehicles within the southwestern corner of the enclosed garden.
9. The proposed opening would be three times as wide as the existing pedestrian access that passes beneath the continuous coping. The opening would disrupt the continuity of the site's enclosure, which is an aspect of its historic configuration, and disturb the characteristically unbroken, enclosing nature the extant walls. Irrespective of the extent of loss proportionate to the remaining boundary walls, there would be loss of historic fabric and a defilement of the traditional craftsmanship that is embodied within the stonework.
10. Furthermore, the levelled and hard-surfaced parking and turning area would encroach noticeably into the currently enclosed garden. Even though the mature trees and planting within the garden itself could change over time, the proposal would be a hard, uncharacteristic intrusion. The historically enclosed garden would be opened up, which would be markedly at odds with the inward-facing nature of the site's overall layout, which would harmfully affect its setting, significance and special interest.
11. The presumptive desirability of preserving designated heritage assets and their significance are matters of considerable importance and weight. The motivation for the proposal is evidently to satisfy the personal wishes convenience of the residents of Westfield Cottage, which is not of wider public benefit. Whilst I acknowledge the proposal's potential to improve highway safety, there is no substantive evidence to show that the on-street parking outside the appeal site has been related to any specific incident or that the proposal would do any more than ease traffic flow marginally. Therefore, the benefits to highway safety or air quality are modest and would not outweigh the permanent harm to designated heritage assets identified, or the considerable importance and weight that it carries.

Other matters

12. In support of the appeal, I have been referred to other properties that have vehicle-wide openings and off-street parking within boundary walls. I saw during my site visit that there is a wide variety of boundary treatment in the area. However, none of the vehicular openings cited breaks into such an extensive, continuous length of historic walling as the appeal scheme would.

Furthermore, I do not know whether the local examples affect listed buildings. Although the plans of Sion House illustrate parking within confines of its garden; a laurel hedge and 'grasscrete' surface are materially different to the stone wall and asphalt being proposed in the appeal scheme. That aside, the characteristics of each site and the significance of individual listed buildings are inevitably different and the apparent similarities at one should be used as a justification for harmful works to another. I

Conclusion

13. The proposed works would fail to preserve the listed building and would fail to preserve or enhance the character or appearance of the BCA contrary to s.66(1) and s.72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Although the degree of harm to both as designated heritage assets would be less than substantial, wider public benefits would not outweigh that harm. Conflict therefore arises with paragraph 196 and historic environment policies within the National Planning Policy Framework, revised February 2019. There would also be conflict with Policy CP6 of the Bath and North East Somerset Core Strategy Part 1 of the Local Plan, July 2014; and Policy HE1 of the Placemaking Plan District-wide Strategy and Policies, July 2017 insofar as these seek to enhance the historic environment and safeguard heritage assets, including listed buildings and conservation areas.
14. For the reasons given above and having considered comments made in support of the scheme, I conclude that the appeal should be dismissed.

H Porter

INSPECTOR