



Appeal Decision

Site visit made on 5 November 2019

by H Porter BA(Hons) MScDip IHBC

an Inspector appointed by the Secretary of State

Decision date: 20 November 2019

Appeal Ref: APP/F0114/Y/19/3232740

14 Catherine Place, City Centre, Bath BA1 2PR

- 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 G Douglas against the decision of Bath & North East Somerset Council.
 - The application Ref 19/01063/LBA, dated 13 March 2019, was refused by notice dated 8 May 2019.
 - The works proposed are internal alterations to ground floor and lower ground floor flats.
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Decision

1. The appeal is allowed and listed building consent is granted for internal alterations to ground floor and lower ground floor flats at 14 Catherine Place, City Centre, Bath BA1 2PR in accordance with the terms of application Ref 19/01063/LBA, dated 13 March 2019 and the plans submitted with it, subject to the conditions listed in the Schedule of Conditions at the end of this decision.

Main Issue

2. The main issue is the effect of the proposed works on the Grade II listed building and any features of special architectural or historic interest it possesses.

Reasons

3. The appeal concerns works within the basement and ground floor flats at Number 14 Catherine Place (No. 14) that, together with its attached railings, is a Grade II listed building in the Bath Conservation Area.
4. The statutory list descriptions identifies No. 14 as being c. 1777, attributed to John Wood the Younger, with late 19th and 20th century alterations. The initials GV on the list description specifically identifies group value. In common with its neighbours, No. 14 is of limestone ashlar with a slate mansard roof, three storeys plus attic and basement, and set back from the pavement edge behind a basement lightwell and wrought iron railings.
5. The significance of No. 14 relates partly to the integral contribution it makes to the special architectural interest of Catherine Place as an architectural 'set-piece' laid out fronting a central square. Significance also derives from the building's origins as a relatively high-status townhouse and the continued legibility of its original plan-form in spite of its evolution over time. Also of

significance is its surviving fabric, architectural and decorative features, which are elements of its historic integrity.

6. No. 14 was subject to conversion into flats during the mid-20th century, which fragmented the once single dwelling into separate units. The conversion has also resulted in the removal of the lower portion of the staircase, thereby severing any internal connection between the ground and basement levels. At ground-floor level, the original plan-form and room proportions of the two principal and interconnecting rooms have been significantly diluted by the partitioning inserted to separate the living area from a kitchen and bathroom. Moreover, while architectural and decorative features still exist, these have been much compromised by being re-located or obscured. Within the basement, with the exception of windows, fire places and a Victorian stove, little of architectural or historic significance survives within the extant internal arrangement, plan-form or joinery.
7. The proposed works would re-organise the internal arrangements within the ground and basement level flats to form one unit. The most significant alteration would be the insertion of a new staircase in the rear ground-floor room to connect with the basement. There is no question that this would be an adaptation of the building's historic circulation route, which would inevitably result in some loss of historic fabric. On this basis, I do accept that this aspect of the proposals would harm the significance of the listed building.
8. Keeping in mind the lost traditional layout and historic character within the basement, I make no objection to the insertion of a shower room or re-ordering of its internal partitions. Nor do I object to the 6-panel doors, which, provided they are white-painted, do not cause harm to the significance and special interest of the listed building.
9. The existing layout has resulted in the removal of the original internal staircase and the proposed works would re-integrate the basement area with the ground floor. The loss of historic fabric involved in installing the new stair would be limited. Moreover, the architectural devices employed would offer a clearly contemporary approach and emphasise a lightness of touch that would not harmfully interfere with legibility of the room's proportions and features. I note the Council's preference for the original stair to be re-instated, but it seems unlikely to me that this would be feasible bearing in mind the likely requirements for a fire-protected escape route through the communal stairwell and entrance hall.
10. Crucially, the proposals would enable removal of internal subdivisions within the ground-floor rear room that would reinstate the room's original proportions and alignment of the walls. The fire surround would be re-positioned to its historic location and overall the historic architectural detailing and features of interest would be better revealed. These would be improvements to the historic integrity and plan form of the building and can be seen to better reveal the significance of the listed building.
11. Overall, I conclude that certain aspects of the proposed works would cause harm to its significance. The degree of harm, given the nature and effect, would be limited and would amount to less than substantial harm. Under these circumstances paragraph 196 of the National Planning Policy Framework, revised February 2019 (the Framework), requires this be weighed against the

public benefits of the proposal including, where appropriate, securing its optimum viable use.

12. The appeal building is in use for residential occupation and the proposal would continue that use. There would undoubtedly be private benefits to the appellant. However, wider public benefits would arise through substantially re-establishing historic integrity and better revealing the significance of the building, and overall enhancement of its special interest. I am satisfied that the appeal scheme would be the most sensitive, least-harmful way of realising those improvements. While any harm to the listed building carries considerable importance and weight, on balance and given the site-specific circumstances in this case, I find that the less than substantial harm would be outweighed by the wider public benefits.

Conditions

13. The Council have suggested a number of conditions and I have considered these in light of the advice in the Planning Practice Guidance (PPG). Standard time limit and plans conditions are necessary for certainty. Conditions are appropriate to require the submission of larger-scale details of the proposed new stair than have been included with the application drawings, and for service-runs within the proposed kitchen; to require works to match adjacent fabric; retention of fabric except as notated on the submitted drawings; and to require notification of the start of works. I do not consider a condition requiring drawings of new doors in the basement as the extant doors are satisfactory. I have imposed a condition requiring these be painted. These are necessary to protect the special architectural and historic interest of the listed building and ensure an acceptable standard of detail and finish.

Conclusion

14. The proposals would result in an overall enhancement of the significance of the listed building. Albeit this in the context of accepting that there would be less than substantial harm caused by the insertion of the new stair. That harm, however, would be outweighed by the public benefits of preserving the building and any features of special architectural or historic interest that it possesses through other works. Overall, the works would satisfy s. 66(1) of the Planning (Listed Buildings and Conservation Areas) Act, 1990; the Framework; and accord with the historic environment protection policies CP6 of the Bath and North East Somerset Core Strategy Part 1 of the Local Plan and HE1 of the Bath and North East Somerset Placemaking Plan, July 2017.
15. For the reasons given above, I conclude that the appeal should be allowed.

H Porter

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The works authorised by this consent shall begin not later than 3 years from the date of this consent.
- 2) The works authorised by this consent shall be carried out in accordance with the following approved plans: 522/LBA/00 (location plan & block plan); 522/LBA/01 (existing floor plans); 522/LBA/02 (existing elevations)

A and B); 522/LBA/03 Rev A (proposed floor plans); 522/LBA/04 Rev A (proposed elevations A and B).

- 3) Upon completion of the works authorised by this consent, any damage caused to the building in the course of carrying out the works shall be made good within 3 months in accordance with a scheme submitted to, and approved in writing by, the local planning authority.
- 4) Notwithstanding condition 2 no works shall take place until details of the new stair and balustrade, including plans, elevations and sections at a scale of 1:5, as well as details of materials, colours and finishes have been submitted to and approved in writing by the local planning authority. The work shall be carried out in accordance with the approved details.
- 5) Notwithstanding condition 2 no works installing the new kitchen shall take place until details of the scheme for water, waste and extraction including plans, elevations and sections at a scale of 1:20, as well as details of materials, colours and finishes have been submitted to and approved in writing by the local planning authority. The work shall be carried out in accordance with the approved details.
- 6) Prior to occupation of the basement level of the building, all existing basement-level doors and joinery shall be painted white and shall be maintained as such thereafter.