The Planning Inspectorate

Appeal Decision

Site visit made on 21 July 2020 by Alex O'Doherty LLB(Hons) MSc

Decision by R C Kirby BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 September 2020

Appeal Ref: APP/F0114/W/20/3249233
19 Gladstone Street, Midsomer Norton, Radstock BA3 2BR

- 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 Amicus Homes Ltd against the decision of Bath & North East Somerset Council.
- The application Ref 19/04123/FUL, dated 19 September 2019, was refused by notice dated 25 November 2019.
- The development proposed is the erection of a terrace of four dwellings with car parking.

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The effect of the proposal on the character and appearance of the surrounding area, including the Midsomer Norton and Welton Conservation Area.

Reasons for the Recommendation

4. The appeal site comprises part of the side and front garden of 19 Gladstone Street, an end-of-terrace property. It is located within the Midsomer Norton and Welton Conservation Area ('conservation area'). I observed that the significance of the conservation area as a designated heritage asset derives in part from the presence of stone built terraced properties of a uniform design, with enclosed front gardens and hardstandings, giving this part of the conservation area an open character.

5. The host property has a larger garden than nearby properties which is read as an important open space in the street scene, providing visual relief to the otherwise tight-knit development of the area and allowing views to the hillside beyond. It is recognised that the large garden area may not be typical of the wider conservation area, but this in part contributes to its importance. The stone wall around the garden, whilst splayed, makes an important contribution to the character and appearance of the conservation area also.

6. The development of the appeal site with 4 new dwellings would significantly erode the openness of the appeal site, even taking into account that each

dwelling and the host property would benefit from a garden and a parking area, similar to nearby development. The introduction of potentially up to 8 cars serving the new dwellings on this modestly-sized plot would cause the front of the plot to be dominated by vehicles. This would further compound the reduction of its contribution to the spaciousness of the public realm.

7. Moreover, the proposal would result in a large part of the front boundary wall being removed, and whilst replacement walls are proposed they would be split up into short segments which would substantially deteriorate the wall's essence and quality as a solid structure. The proposal would erode the contribution the wall makes to the character and appearance of the area.

8. In light of the foregoing, I conclude that the proposal would be harmful to the character and appearance of the area. It follows that the proposal would neither preserve or enhance the character or appearance of the conservation area.

9. Whilst the harm that would be caused to the significance of the conservation area as a designated heritage asset would be less than substantial, this harm needs to be weighed against the public benefits of the proposal.

10. The appellant has argued that the proposal would contribute to the betterment of the public realm, but given my findings above, I do not agree that betterment would occur.

11. I have taken account of other benefits advanced, including that the proposal would result in the amount of hardstanding on the site, that the appeal site is in an accessible location, in a Housing Development Boundary, with adequate provision for public transport, and is near to local retail, employment, and community facilities, and the centre of Midsomer Norton. In strict land use terms, the proposal would not constitute overdevelopment of the site, and would be an efficient use of land. The four new family-sized dwellings would contribute to the Government's objective to significantly boost the supply of homes. However, given the quantum of development in this case, such benefits would be limited.

12. Additionally, it is not in dispute that the proposal would reflect nearby development, would be acceptable in terms of highway safety, the living conditions of neighbouring occupiers and future occupiers of the proposal, drainage, flooding, utilities, arboriculture, construction, the use of the garden for growing food, and water efficiency. Conditions could be imposed to ensure that any potential impact would be sufficiently mitigated. However, these matters are neutral factors in my overall assessment of this case, as they would be expected of any well-designed development. The design of the proposal might encourage social interaction, but as this matter is speculative, it has been given limited weight.

13. The Framework makes it clear that great weight needs to be given to the designated heritage asset's conservation, which in this case is the conservation area. At most I give limited weight to the benefits of the proposal and find that they do not either individually or cumulatively amount to public benefits which outweigh the harm that would be caused to the significance of the conservation area. Moreover, the matters advanced in support of the proposal do not outweigh the harm to the character and appearance of the area that would result.

14. I therefore conclude that the proposal would have an unacceptable and harmful effect on the character and appearance of the surrounding area, including the conservation area. The proposal would conflict with Policies D2, D4 and HE1 of the Bath and North East Somerset Local Plan 2011-2029: Placemaking Plan (adopted July 2017) which collectively seek to ensure that development proposals contribute positively to and do not harm local character and distinctiveness, including the historic environment.

Conclusion and Recommendation

15. Based on the above, and having regard to all matters raised, I recommend that the appeal should be dismissed.

Alex O'Doherty

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

R C Kirby

INSPECTOR