



Appeal Decision

Site Visit made on 15 March 2021

by Nick Davies BSc(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th March 2021

Appeal Ref: APP/F0114/D/20/3264365

23 Eastville, Larkhall, Bath BA1 6QN

- 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 East against the decision of Bath and North East Somerset Council.
 - The application Ref 20/02292/FUL, dated 29 June 2020, was refused by notice dated 11 September 2020.
 - The development proposed is a loft conversion. To include rear flat roof dormer and rooflights to front elevation roof slope.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The site lies within the Bath Conservation Area (the CA), which is extensive, and encompasses much of the historic city and its landscape setting. The significance of this heritage asset, as a whole, lies in the quality and layout of the historic buildings, and their relationship with the surrounding green hillsides. The part of the CA surrounding the appeal site is characterised by long symmetrical terraces of two-storey houses, that often run down the hillsides, resulting in a distinctive, stepped roofscape. Although each of the terraces varies in its detailed design, there is a consistency in form, scale, materials, and architectural quality across the area, which is important to the special interest of this part of the CA.
4. Eastville is an elegant terrace of Bath stone houses that step down the slope. There is a high degree of uniformity to the front elevation, with each house having a two-storey bay that breaks the eaves line. The party walls extend through the roof slope, giving each house an individual identity, but a projecting stone detail runs along the entire terrace at first floor level, emphasising the cohesion of the group. This symmetry also extends to the rear, where most of the houses have a distinctive mono-pitched two-storey rear projection. Consequently, there is a rhythm to the rear elevation of the terrace, which is evident when viewed from the higher land to the west. Apart from some rooflights and solar panels, the front and rear roof slopes of the houses are uninterrupted, adding to the integrity of the terrace, and the positive contribution that it makes to the character of this part of the CA.

5. 23 Eastville lies at the lower end of the terrace, and has recently been extended with a two-storey addition at the rear, and a single-storey side extension. As the side extension is set back from the front of the building, it does not diminish the contribution that the house makes to the symmetry of the terrace. The rear extension is set behind that of the adjacent house, so does not visually disrupt the rhythm of the rear elevation when viewed from the west. The house displays all the features that are characteristic of the terrace, including a roof slope that is broken only by a rooflight. Consequently, it makes a positive contribution to the significance of the CA, both individually, and as part of a coherent terrace with a stepped roofscape that is highly characteristic of this part of the heritage asset.
6. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA.
7. The proposed flat roofed dormer would occupy the majority of the rear roof slope of the house. Although it would not involve any alteration to the chimneys, or loss of any other architectural details, it would not be a characteristic feature of the terrace, or this part of the CA. The dormer would be visible from public vantage points in Claremont Road and Eastbourne Avenue, and would appear as a discordant addition to the otherwise uninterrupted stepped roofscape. Although it is proposed to clad the dormer in tiles to match the existing roof, this would not successfully disguise the disruptive impact it would have on the coherent form of the terrace.
8. The dormer would also be readily visible from Worcester Park, to the north east. From this public viewpoint the roofscape of the terrace, as a whole, is not evident. Nevertheless, the dormer would be seen in the context of the simple, unbroken roof slopes of the houses stepping down the slope in Worcester Park. From this lower vantage point the dormer would be a dominant and incongruous addition to the roofscape, that would be harmful to the character of this part of the CA.
9. My attention has been drawn to four cases where dormer extensions have been permitted in this part of the CA. At 20 Queenwood Avenue, the permitted dormer is only readily visible from what appears to be a private service lane, and is seen in the context of a complicated roofscape containing three other dormers. At 14 Queenwood Avenue, the dormer is in a terrace where most of the houses already have similar roof extensions. At 23 Salisbury Road, the dormer is on the rear roof slope of a level terrace of houses, where two others have already been similarly extended. In the case of 8 Avondale Buildings, the dormer is close to three that already exist. Furthermore, these buildings have larger roofs than those at Eastville, so the dormers occupy a smaller proportion of the roof slope than would be the case with the appeal scheme.
10. The appeal scheme would involve the addition of a flat-roofed dormer, occupying most of the roof slope of the house, in an otherwise intact terrace roofscape that can be seen from public vantage points. Consequently, none of the cited examples is directly comparable. Furthermore, the examples are drawn from a wide area, and visiting them all involved walking some considerable distance around the surrounding streets. It was evident that flat-roofed dormers are not common features throughout the CA, and the cited examples are not representative of its prevalent character. They do not,

therefore, alter my conclusion that the dormer would be an incongruous addition that would disrupt the cohesive roofscape of the terrace, resulting in harm to the character and appearance of this part of the CA.

11. The harm to the CA would be localised, and therefore the impact on the significance of the heritage asset, as a whole, would be less than substantial within the meaning of Paragraph 193 of the National Planning Policy Framework (the Framework). However, less than substantial harm does not mean that less than substantial weight should be afforded to this harm. Rather, as the Framework sets out, great weight should be given to the conservation of designated heritage assets.
12. Paragraph 196 of the Framework says that less than substantial harm should be weighed against any public benefits associated with the development. The additional accommodation would improve the quality of life for the large family that occupies the house. However, this would, essentially, be a private benefit. The only associated public benefit would be the creation of employment during its construction. However, the small scale of the development dictates that this would be a very minor and temporary benefit.
13. Paragraph 194 of the Framework advises that any harm to a designated heritage asset requires clear and convincing justification. The public benefits of the appeal scheme are limited and, consequently, would not outweigh the harm that I have identified to the CA. I therefore conclude that the proposal would be contrary to Policy CP6 of the Bath and North East Somerset Core Strategy (2014), and Policies D1, D2, D5 and HE1 of the Bath and North East Somerset Placemaking Plan (2017). Taken together these policies seek to ensure that development conserves or enhances the character of designated heritage assets, contributes positively to local distinctiveness, and complements the host building. The proposal would also be contrary to the Framework's aim to conserve and enhance the historic environment.

Conclusion

14. For the reasons given above, I conclude that the appeal should be dismissed.

Nick Davies

INSPECTOR