
Appeal Decisions

Site visit made on 22 March 2021

by Benjamin Webb BA(Hons) MA MA MSc PGDip(UD) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 31 March 2021

Appeal A: APP/F0114/W/20/3262066

2A Lambridge Mews, Lambridge, Bath BA1 6BJ

- 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 Stuart Jackson against the decision of Bath and North East Somerset Council.
 - The application Ref 20/02609/FUL, dated 20 July 2020, was refused by notice dated 7 October 2020.
 - The development proposed is described as refurbishment and reconfiguration of the mews building at the rear of 2 Lambridge.
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Appeal B: APP/F0114/Y/20/3263578

2A Lambridge Mews, Lambridge, Bath BA1 6BJ

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) against a refusal to grant listed building consent.
 - The appeal is made by Mr Stuart Jackson against the decision of Bath and North East Somerset Council.
 - The application Ref 20/02601/LBA, dated 20 July 2020, was refused by notice dated 7 October 2020.
 - The works proposed are described as refurbishment and reconfiguration of the mews building at the rear of 2 Lambridge.
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Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Procedural Matters

3. As set out above, there are 2 appeals on this site. Each relates to the same scheme but they address separate applications for planning permission in the case of Appeal A, and listed building consent in the case of Appeal B. I have considered each on its individual merits, however, to avoid duplication I have dealt with the Appeals together, except where otherwise indicated.

Main Issue

4. The main issue is the effect of the scheme on designated heritage assets, including: whether it would preserve a Grade II listed building, its setting, or any of the features of special architectural or historic interest that it possesses; preserve or enhance the character or appearance of Bath Conservation Area (the Conservation Area); and additionally, in relation to Appeal A, conserve Bath World Heritage Site (the WHS).

Reasons

5. These Appeals relate to a mews building to the rear of 2 Lambridge. No 2 is the central dwelling within an irregular 3-unit terrace numbered 1 – 3 Lambridge. This terrace, together with attached walls and gatepiers, is Grade II listed, and constitutes the listed building in this case.
6. Listing also extends to any structure that is within a listed building's curtilage and which has existed since before 1st July 1948. The mews building is located at the end of the garden of No 2, and directly connected to the rear elevation of the terrace via boundary walls. It is a small and modestly extended structure, and both it and the walls clearly pre-date 1948. The mews building would have historically provided stabling/storage of a carriage for the occupants of No 2, with accommodation above. It remains in the same ownership as No 2, and whilst the accommodation is let, most of the ground floor continues to be used as a garage. As such I consider that the mews building is covered by the listing. The fact that it is not specifically described within the list description does not alter my view, given that this typically serves to identify the listed building based on what is visible from the front.
7. Insofar as it is relevant to the Appeals, the special interest and significance of the listed building resides in its early-nineteenth century date, and its formal, uniform, yet at the same time irregular design. It also lies in its group value with terraces of similar age within Lambridge, the surrounding area, and within the city at large. The garden walls are themselves of note given their construction from ashlar. The mews building is the only such historic structure to the rear of Nos 1-3, and is feature of distinctive type, typically associated with high status terraces of the period. As such it provides an important insight into the way in which the building functioned historically. Notwithstanding modifications which have obscured aspects of its original design, the mews building remains clearly identifiable as such. In this regard, whilst holding interest in itself, the mews building makes an important positive contribution to the special interest, significance and setting of No 2, and to the listed building as a whole.
8. The listed building is also located within the Conservation Area. Insofar as it is relevant to this appeal, the special interest and significance of the Conservation Area resides in the historic planned layout of the townscape, and the interrelationship of the buildings and spaces this contains. As this includes both the terrace and its mews building, together they make an important contribution to the special interest and significance of the Conservation Area.
9. The site is additionally located within the WHS, the outstanding universal value and significance of which again partly relates to the planned historic townscape of the city. In this regard, the listed building, as a component of terraced developments along London Road, again makes an important positive contribution.
10. The scheme would entail replacement of the two existing extensions to the rear of the mews building with a single larger extension. No drawing has been provided which shows the proposed extension in full side profile, or which therefore gives an accurate impression of its form, mass, the pitch of the roof, or the extent and nature of required alterations to the walls to either side. This hinders a proper assessment.

11. Nonetheless, despite the fact that the amount of floorspace gained would be reasonably modest, it is apparent that the extension would appear as a substantial addition. This is because the overall floorspace within the extension would be comparable to that within the original building, and because all would be contained within a single modern structure. The relative scale, volume and mass of this structure would be accentuated by the greater proportion of the rear elevation of the original building obscured by the roof, and by the presumably flatter pitch adopted, which would cause the extension to appear boxy in form. The extension would as such visually compete with, rather than complement the original building, undermining its historically modest functional character and appearance, most particularly as appreciated from No 2. As such the scheme would fail to preserve/conservate the special interest and significance of the mews building, and the contribution it makes to that of the terrace.
12. Other mews buildings along Lambridge Mews have been similarly extended, and some more so. Both these and the mews building subject of the appeal are visible from Beaufort East, from within the garden of No 2, and within Lambridge Mews itself. These mews buildings are, by and large, of varied and differing original design and size to that at the rear of No 2. Whilst they too have a historic relationship with terraced dwellings, they have no direct relationship with that forming the listed building. Moreover, their own listing status is unclear. I have otherwise been provided with no indication of the lawfulness of any of the extensions in question. As such, I see no reason why the extension of other mews buildings should be held to justify the harm that would be caused by that subject of the Appeals.
13. A structure modelled on a historic mews building has been constructed to the rear of No 1, immediately alongside the mews building to the rear of No 2. It is more substantial in scale, and of different form. It holds no special interest or significance in itself, and does not make a positive contribution to that of the terrace. Therefore, it again provides no obvious justification for the harm that would be caused by the proposed extension.
14. The appellant further argues that the extension could be added as permitted development. However, whilst it is open for the appellant to have this matter separately determined by the Council, it is not a matter for me to determine in the context of Appeal A. It otherwise has no bearing on the merits of Appeal B. I have thus determined Appeal A as set before me.
15. The scheme would entail a reduction in the width of the current garage door within the elevation facing Lambridge Mews. The infilled opening would accommodate a boiler flue at around head height. The opening and the door are each obviously modern in their form and fabric, and are fitted beneath a long concrete lintel. It appears that the original opening was narrower, as is indicated by the kerb arrangement to the front, and in general comparison with mews buildings nearby which retain their original openings. As such, despite a continued lack of correspondence with the kerb line in front, a reduction in the size of the garage door opening would not in itself diminish the functional character of building. The boiler flue would however be a highly visible and harmfully incongruous domestic feature, likely to be made more so by plumbing.
16. The scheme would entail alterations that would diminish the significance of both the mews building and the listed building as a whole, and this would be appreciable from within the public realm. It follows that the scheme would also

diminish the contribution that the mews building and listed building makes to the significance of the broader Conservation Area and WHS.

17. As a whole, the scheme would therefore fail to preserve the special interest of the listed building, fail to preserve or enhance the character or appearance of the Conservation Area, and fail to conserve the WHS. As such it would conflict with the expectations of the Act, and paragraphs 193 and 194 of the National Planning Policy Framework (the Framework), which set out the great weight to be attached to the conservation of designated heritage assets, and the need for clear and convincing justification for any harm.
18. In view of my findings above, and with further reference to paragraph 196 of the Framework, the scheme would cause less than substantial harm to the significance of the listed building and its setting, the Conservation Area, and the WHS. I attach great weight to the harm that would be caused to the significance of the listed building and the WHS, and considerable importance and weight to the harm that would be caused to the significance of the Conservation Area. In accordance with the Framework it is necessary to balance this harm against the public benefits advanced in favour of the scheme.
19. The scheme would provide expanded accommodation. However, in the absence of any evidence that this would address a specific local need, the benefit would appear private rather than public. It does not therefore attract any weight.
20. The appellant also claims that the scheme would provide for the long term conservation of the mews building, helping to secure its optimum viable use. The scheme would clearly entail investment. But so too would routine maintenance. In this regard I have been provided with no evidence that the scheme is necessary in order to secure the future use or the fabric of the building. Again therefore, I attach no weight to claimed benefit.
21. The scheme would improve the energy efficiency of the mews building. Indeed, as the extension would be new-build, its fabric would clearly perform better than the existing. The new boiler would also presumably bring improvements. The scale of the broader environmental benefit would however be negligible, and sensitive improvements could alternatively be made to the existing building. Once again therefore, I attach no weight to claimed benefit.
22. The scheme would generate work for building contractors. However, given the very small scale of the scheme, any broader economic benefits would again be negligible. As such they attract negligible weight. Consequently, the public benefits of the scheme would be insufficient to outweigh the harm that it would cause in relation to both Appeals A and B.
23. For the reasons outlined above I conclude that the development would have an unacceptable effect on designated heritage assets, failing to preserve a Grade II listed building and its setting, failing to preserve or enhance the character or appearance of the Conservation Area, and, in relation to Appeal A, failing to conserve the WHS. In relation to Appeal A, and insofar as it is relevant to Appeal B, the scheme would therefore conflict with Policy HE1 of the Bath and North East Somerset Local Plan 2011-2029: Placemaking Plan (PP) and Policies CP6 and B4 of the Bath and North East Somerset Core Strategy, which all broadly support the above objectives; Policies D1 and D2 of the PP, which amongst other things each expect development to contribute positively to local

distinctiveness and history; and Policy D5 of the PP which amongst other things requires extensions to complement and enhance the host building. In relation to both Appeals the scheme would otherwise fail to satisfy the requirements of the Act, and heritage policy set out within the Framework.

Conclusion

24. The scheme would cause unacceptable harm to designated heritage assets, and, in relation to Appeal A, conflict with the development plan. There are no other considerations which alter or outweigh these findings. Therefore, for the reasons set out above, I conclude that Appeal A and B should be dismissed.

Benjamin Webb

INSPECTOR