
Appeal Decision

Site visit made on 6 December 2021

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

an Inspector appointed by the Secretary of State

Decision date: 20 December 2021

Appeal Ref: APP/F0114/Y/21/3280559

27 Denmark Road, Twerton, Bath BA2 3RE

- 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 and Mrs Brown against the decision of Bath and North East Somerset Council.
 - The application Ref 21/01031/LBA, dated 4 March 2021, was refused by notice dated 26 April 2021.
 - The works proposed are described as single storey rear extension and first floor extension.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. This appeal relates to an application for listed building consent. When it was submitted to the Council it was accompanied by an application for planning permission. The latter has not been appealed, and it lies beyond the scope of this appeal to consider its merits.
3. At the time of my visit, internal works not forming part of the appeal proposal were in the process of being undertaken. This included plaster removal, cutting of a doorway, and removal of the hob grate noted in the list description. Whilst it is unclear whether any separate consent exists for those works, it again falls outside the scope of this appeal to consider their merits.
4. The officer report identified harm in relation to the 'conservation area'. However, this was not included in the decision notice, and the map of Bath Conservation Area supplied shows that the site lies well outside. This matter does not therefore require any further attention.

Main Issue

5. The main issue is whether the scheme would preserve a Grade II listed building or any features of special architectural or historic interest which it possesses.

Reasons

6. 27 Denmark Road forms part of a 13-unit terrace numbered 17-29 Denmark Road. The latter is the Grade II listed building in this case, and thus a designated heritage asset. Whilst the Act sets out the desirability of preserving listed buildings, paragraph 199 of the National Planning Policy Framework (the

Framework) makes clear that great weight should be given to the conservation of designated heritage assets.

7. Insofar as it is relevant to this appeal, the special interest and significance of the listed building resides in its early C19th date, its uniformity, construction in Bath stone, and the modest scale of its component parts. The latter appear to have originally featured 2 rooms on each floor. It is apparent that some features noted in the list description, including colonette mullion windows at No 27, have since been lost.
8. The rear elevation of the terrace has also been subject of alterations, principally entailing the addition of single, and some 2-storey extensions. These extensions vary in age and design, many detracting from the character of the rear elevation on account of their unsympathetic form, scale, materials and details. The original arrangement of the rear elevation at first floor level however remains generally intact between Nos 24-27. The absence of extensions at first floor level across these 4 properties allows continued appreciation of the original modest proportions of the terrace, and the uniform arrangement of its windows. This includes within views from Caledonian Road.
9. The existing ground floor extension at No 27 itself only covers part of the rear elevation, and unlike some other parts of the terrace the stonework above has never been painted or rendered. Notwithstanding loss of the original windows, in relative terms the rear elevation at No 27 appears reasonably well preserved. The above attributes together make an important positive contribution to the special interest and significance of the terrace as a whole.
10. The proposed extension would conceal most of the rear elevation of No 27. Even the part remaining exposed would be subject of alteration given relocation of the first floor window. The latter could not be achieved without disturbance of the stonework, and the adjustment would undermine the uniformity of the overall arrangement. Though the flat roof of the extension would stand below the eaves line, its overall mass combined with the amount of the rear elevation covered would greatly obscure the original modest proportions of the terrace. The harm caused would be emphasised relative to Nos 24-26, and apparent viewed from the rear garden and Caledonian Road.
11. To the above would be added loss of historic fabric, given removal of much of the back wall at ground floor level. This would in turn degrade the historic plan form, causing loss of both the proportion and identity of the back room. The overall loss of character caused would therefore be considerable.
12. The scheme would enable the removal of a modern partition which subdivides the front room at first floor level. This would reinstate its original proportions. The particular benefit of this would however be substantially outweighed by the harm caused by the other works outlined above.
13. The proposed extension would be similar to that at No 28, which appears to have been roughly modelled on another recent extension at No 29. Each nonetheless differs in design from other 2-storey extensions elsewhere in the terrace, and from which they are currently separated by Nos 24-27. As would be the case in relation to the appeal scheme, the extensions at Nos 28 and 29 each largely conceal the rear elevation, and their bulky forms obscure the original modest proportions of the terrace. The resulting adverse effect is increased in cumulative terms, and would be increased further still were a

similar extension to be added at No 27. I therefore see no reason why the harm caused by existing extensions at Nos 28 and 29 should be held justify that which would arise in the current case.

14. I acknowledge that the extension at No 28 was approved as recently as 2017 (the previous approval), at which time the Council considered that it would have a 'neutral' effect. This assessment was chiefly based on the view that 'the majority' of properties in the terrace had 2-storey extensions already. At the time of my visit, 7 out of the 13 properties in the terrace indeed had 2-storey extensions, but that included the extension at No 28. Whilst the past existence of a majority is therefore open to doubt, even now its slight nature makes no particular difference to my assessment above, given that the presence of 2-storey extensions appreciably detracts from the character of the terrace. The above being so, I attach little weight to the previous approval and the existence of the 2-storey extension at No 28.
15. The scheme would fail to preserve the special interest of the listed building and fail to conserve its significance. The harm caused to the significance of the listed building as a whole would be less than substantial. Such harm attracts great weight. In accordance with paragraph 202 of the Framework it is necessary to weigh this harm against the public benefits of the scheme.
16. The scheme would provide enlarged accommodation. As I have been provided with no reason to believe that this is necessary in order to secure the future of No 27, or that of the listed building, and given it would otherwise serve the private benefit of the occupants of the dwelling, this attracts no weight.
17. Insofar as the scheme would see removal of a modern partition, I have considered this above and attach very little weight to the benefit. At appeal the appellant has additionally pledged to replace the windows in the front elevation. Whether removal of the original windows was itself ever authorised is unclear. That aside, window replacement does not form part of the proposal, and no details have been provided. Even if it did, and they had, no direct link would exist between the replacement of windows on the frontage and the works giving rise to harm. I therefore attach no weight to the claimed benefit.
18. Implementation of the scheme would generate building work, but the benefits to the broader economy would be negligible. As such, having attached no more than very little weight to the public benefits of the scheme, the harm caused would not be outweighed. This indicates that the appeal should be dismissed.
19. For the reasons outlined above I conclude that the scheme would not preserve the special architectural or historic interest of the listed building. It would thus fail to satisfy the requirements of the Act, heritage policy set out within the Framework, and, insofar as it is relevant, conflict with Policy HE1 of the Bath and North East Somerset Local Plan 2011-2029: Placemaking Plan which seeks to sustain and enhance the District's historic environment.

Conclusion

20. For the reasons set out above I conclude that the appeal should be dismissed.

Benjamin Webb

INSPECTOR