
Appeal Decision

Site visit made on 1 February 2022

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

an Inspector appointed by the Secretary of State

Decision date: 15 February 2022

Appeal Ref: APP/F0114/Y/21/3279869

146 High Street, Bathford, Bath BA1 7TN

- 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 Dr and Mrs Rideal against the decision of Bath and North East Somerset Council.
 - The application Ref 21/00982/LBA, dated 2 March 2021, was refused by notice dated 15 June 2021.
 - The works proposed are described as new windows to first floor bedroom.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the works on designated heritage assets, including: whether they would preserve a Grade II listed building, or any of the features of special architectural or historic interest that it possesses; and, whether it would preserve or enhance the character or appearance of Bathford Conservation Area (the Conservation Area).

Reasons

3. 146 High Street, is, together with 144 High Street, the Grade II listed building in this case, and is thus a designated heritage asset. The Act sets out the desirability of preserving listed buildings, whilst 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.
4. Insofar as it is relevant to this appeal, the special interest and significance of the listed building resides in its original construction during the early-mid C19th, its formal design and its construction in Bath stone.
5. The part of the building subject of the appeal was apparently added in matching style during the later C19th. Viewed from the street this forms a component of both the main street facing (front) and side elevations of the building. Whilst the front elevation is characterised by a formal arrangement of openings, the side elevation is of more mixed overall character.
6. The part of the building in question contains windows at both ground and first floor level in the front elevation, but only at ground floor level at the side. Consequently, there is an area of blank wall at first floor level in the side elevation.

7. It is common for side elevations, or parts of them, to be blank where windows are provided in the front. Therefore, viewed from the street the presence of a blank wall on the side elevation of No 146 appears wholly unremarkable. In this case it does however beneficially serve to focus attention on the formal arrangement of the front elevation.
8. Viewed within the context of the side elevation as a whole, the blank section of wall is also in no way visually offensive. This is particularly given that the arrangement of the side elevation lacks the formality of the front. This and the above being so the addition of the proposed windows would provide no aesthetic or architectural benefit. It would be more likely to have the adverse effect of deflecting attention from the front elevation in views from the street.
9. Considered internally, the proposed windows would not have any effect on the proportions of the room in question as these would remain unchanged. There would otherwise be little disturbance of internal features. It would however be obvious that the proposed windows would neither match nor complement the existing single glazed window within the same room, which appears to be original. Indeed, aside from being paired, the proposed windows would feature double glazing with applied bars. In this regard the proposed windows would also not match the existing paired windows on the ground floor below.
10. Consent has previously been granted for the insertion of a window into the front elevation. Be that as it may, this does not directly justify the insertion of windows in other locations where the specific effects may differ.
11. In view of my findings above the scheme would fail to preserve the special interest of the listed building, contrary to the expectations of the Act, and similarly fail to conserve its significance.
12. The listed building is also located within the Conservation Area. Insofar as it is relevant to this appeal, the significance of the Conservation Area resides in the historic layout of the settlement, and the collection and interrelationship of historic buildings and spaces that it contains. Within this context the listed building occupies a visually prominent position at the east end of the High Street, where it forms a notable feature within the streetscene. As such the listed building makes a positive contribution to the significance of the Conservation Area.
13. As set out above, the proposals would entail alterations that would diminish the significance of the listed building, and these would be at least partly appreciable from within the public realm. It follows that the proposal would also diminish the contribution that the listed building makes to the significance of the Conservation Area as a whole. Though the effect would be modest, the proposal would nonetheless fail to preserve or enhance the character or appearance of the Conservation Area, contrary to the expectations of the Act.
14. In view of my findings above the proposal would cause less than substantial harm to the significance of both the listed building and the Conservation Area. I attach great weight to the harm that would be caused to the significance of the listed building, and considerable importance and weight to the harm that would be caused to the significance of the Conservation Area. In accordance with paragraph 202 of the National Planning Policy Framework (the Framework), it is necessary to balance this harm against the public benefits advanced in favour of the appeal scheme.

15. Insofar as the main benefit claimed is enhancement of the side elevation by providing symmetry and balance, I have considered the effects above. Having found them to be negative I attach no weight to the claimed benefit.
16. The appellant additionally states that the window would provide much needed light. However, aside from the fact the room in question is already served by a large window, this would be a private benefit. As such it again no weight.
17. Implementing the scheme would otherwise generate a small amount of work. However, the benefits of this to the broader economy would be negligible and so attract negligible weight. That being so public benefits would outweigh the harm caused.
18. For the reasons outlined above I conclude that the scheme would have an unacceptable effect on designated heritage assets, failing to preserve the special interest of the listed building, and to preserve or enhance the character or appearance of the Conservation Area. It would therefore fail to satisfy the requirements of the Act; heritage policy set out within the Framework; and, insofar as it is relevant, Policy HE1 of the Bath and North East Somerset Placemaking Plan 2017, which, amongst other things seeks to sustain and enhance the District's historic environment.

Conclusion

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

Benjamin Webb

INSPECTOR