



Appeal Decision

Site visit made on 5 April 2022

by H Porter BA(Hons), MSc PGDip, IHBC

an Inspector appointed by the Secretary of State

Decision date: 13 April 2022

Appeal Ref: APP/F0114/D/22/3294389

7 Primrose Hill, Bath, BA1 2US

- 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 Alastair Page against the decision of Bath and North East Somerset Council.
 - The application Ref 21/05401/FUL, dated 5 December 2021, was refused by notice dated 27 January 2022.
 - The development proposed is Erection of new two-storey building incorporating garage and home office facilities.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area, including its effect on the City of Bath Conservation Area.

Reasons

3. The appeal concerns a late 20th century single-storey detached garage that occupies a splayed corner plot at the junction of Primrose Hill and Mountain Ash. The extant garage is utilitarian and relatively non-descript constructed of blockwork with a flat, felt-covered roof and close to row a of garages of similar age and construction fronting Mountain Ash.
4. The Council has already granted planning permission for the extension of the extant garage to create a single-storey double garage with a larger L-shaped footprint (Ref 19/02973/FUL). Compared with the consented garage, the appeal scheme would be of a similar footprint, materials and detailing but with an additional storey to provide ancillary office accommodation at first floor level.
5. The appeal site is located in the Upper Weston area of Bath and towards the western extremity of the City of Bath Conservation Area (CA). The CA is extensive and characterised most readily by its attractive early-to-mid 19th century neo-Classical townscape, which responds to a dramatic topography, nestled in a wider rolling landscape. In comparison with the more concentrated townscape within the core of the City, the appeal site is located where development is more sporadic and the local topography offers extensive views across the surrounding countryside.

6. The mix of architectural styles, building ages and a looser urban grain in the environs around the appeal site create a palpable sense of the city's topography and landscape setting, which is of value to the character and appearance, and thereby special interest and significance, of the CA as a whole. Whilst it is of no architectural or historic merit of itself, the extant garage is unassuming in scale, allowing for legibility of the local topography. Thus, the existing garage makes a neutral contribution to the character and appearance of the CA as a whole. Although the extended garage, as approved, would occupy a much larger footprint, it would continue a step down from the Mountain Ash garages and be unassuming in scale and overall form. Consequently, the approved extended garage would have a neutral impact on the character and appearance of the CA as a whole, preserving its special interest and significance.
7. Of itself, the proposal would be of high architectural quality, include a flat roof and be constructed of materials in keeping with the local area. However, the additional storey proposed would add significantly to the building's overall scale and mass. As the larger footprint would bring the garage forward within the corner plot, the additional height would cause the building to dominate the site and appear uncomfortably squeezed in.
8. In my judgement, the proposed pedimented parapet roof detail and fenestration on the west elevation would cause the proposal to appear more akin to a domestic dwelling than an ancillary, utilitarian structure. Not only would the unassuming and utilitarian character of the extant and approved garage be lost, so too would the clear step down the hillside. The proposal would therefore weaken legibility of the edge-of-city topography and looser urban grain, to the detriment of the local context and development pattern.
9. Rather than offer a visually attractive or positive enhancement to the locality, the proposal would appear conspicuously out of place. While relatively localised, the obtrusive and unrelated impact of the proposed development would be tangible from public vantages, including along Primrose Hill. I therefore consider that the proposed development would cause harm to the character and appearance of the area, and the character and appearance of the CA as a whole would not be preserved or enhanced.
10. In light of the above, I find that conflict arises with s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Given the scale and nature of the proposal, the degree of harm to the significance of the CA as a designated heritage asset would be less than substantial. Paragraph 202 of the National Planning Policy Framework, July 2021 (the Framework) requires the less than substantial harm be weighed against the public benefits of the proposal.
11. There would be some economic benefits relative to the construction phase of the proposal. However, this would offer very little additional benefit over and above that which would be realised through the consented scheme. Whilst not knowing the precise nature of the appellant's work, I recognise the proposal would create dedicated office facilities away from their principal dwelling. However, ultimately, this would be to the satisfaction of the personal wants and wishes of the appellant, which could change over time, and in any event be of no wider public benefit. Ostensibly, the appellant already works from home on a regular basis from a bedroom. While I appreciate working from a bedroom

rather than an office may be less desirable, it casts doubt over whether the appeal proposal would realise any meaningful reduction in travel to work movements. I therefore attribute very little weight to this being a wider public benefit.

12. The proposal would cause no harm in respect of neighbours' living conditions, highway safety, and would be constructed to high standards of energy-efficiency. Having regard to the scale, location and nature of the proposal, I see no reason to disagree with the Council's assertion that there would be no harm to the outstanding universal values of the wider WHS. However, these are all neutral matters that, while not weighing against the proposals, do not weigh in their favour or provide any wider public benefit.
13. On the other hand, I have found the proposal would cause harm to the character and appearance of the area and less than substantial harm to the CA as a designated heritage asset, which carries considerable importance and weight. Even cumulatively, the sum of public benefits is not sufficient to outweigh the harm the appeal scheme would cause, leading to conflict with the historic environment protection policies of the Framework.
14. Moreover, the proposal fails to accord with the development plan insofar as conflict would arise with Policies D1, D2, D3, D5 and HE1 of the Bath and North East Somerset Placemaking Plan, July 2017; and Policy CP6 of the Bath and North East Somerset Core Strategy, July 2014. Amongst other things, these policies seek to ensure that works and development protect, conserve and enhance the character of heritage assets; promote high quality design that reinforces and contributes to the specific local context.

Conclusion

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

H Porter

INSPECTOR