



Appeal Decision

Site visit made on 17 May 2022

by Matthew Jones BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th June 2022

Appeal Ref: APP/F0114/Y/22/3290454

Midford Castle, Midford, Bath BA2 7BU

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against the refusal of details of works required by a condition of a listed building consent.
 - The appeal is made by Mr Scott Adams of Nutrisport Pty Ltd against the decision of Bath & North East Somerset Council.
 - The application Ref 21/01601/CONDLB, dated 1 April 2021, sought approval of joinery details pursuant to condition No 3 of listed building consent Ref 18/03823/LBA granted on 14 December 2018.
 - The application was refused by notice dated 23 September 2021.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. At my visit to the appeal site, I observed that works are being carried out. This has included the installation of a number of double glazed, timber windows. However, in the interest of certainty, I have assessed the appeal strictly on the basis of the drawings that accompany it.

Background and Main Issues

3. On 14 December 2018 the Council granted listed building consent for 'internal and external alterations to include conservation and renovation of the coach-house, greenhouse, basement, former offices at Midford Castle to provide ancillary residential as well as occasional holiday-let accommodation'.
4. That scheme spans two listed buildings. The 'coach house' and the greenhouse are part of the Grade II* listed building 'The Stables, The Old Chapel and the Remains of the Chapel, Walls enclosing the Stableyard, Coach-house and Greenhouse to Midford G.V. Castle' (hereafter the Outbuildings). The 'coach house' referred to in this listing was evidently not used as such and was more likely to have been a barn and latterly a stable. The basement and former offices mentioned are part of and sit below Midford Castle itself, a Grade I listed building titled 'Midford Castle with former Offices and Coach-houses'.
5. Condition No 3 of the consent required all joinery details to be approved prior to its installation. However, the joinery details which accompany this appeal relate only to the building known as the 'coach house' and the attached greenhouse, and I have focused my assessment accordingly.
6. As such, the main issue is whether the details of works would preserve the special architectural and historic interest of the Outbuildings.

Reasons

7. Midford Castle and the Outbuildings read as one set piece and draw much significance from their shared decorative Gothick theme, and this is particularly apparent in the fenestration and glazing bar detailing throughout the estate. The greenhouse design offers a particularly flamboyant adherence to the style.
8. The existing windows I examined beyond the 'coach house' and the greenhouse are single glazed and finely detailed or slim double-glazed units, as one would anticipate for a property of this grandeur and status. Whilst the ground floor windows in the south elevation of the 'coach house' are gone, photographic evidence suggests they were similarly fine. The greenhouse windows, which a photograph from Country Life magazine suggests must postdate 1944 at least, were thicker, but nonetheless appear to have contained single glazing.
9. The appellant intends to provide joinery known for its slim specification, as shown in a brochure. However, the actual joinery drawings before me appear to show windows that would have fairly thick glazing bars together with something akin to standard depth double glazed units. Indeed, the sections which relate to windows W1 and W2, in the south elevation of the 'coach house', are shown to have a glazed unit depth of 24mm, just short of an inch.
10. Whilst this would be appropriate for the obviously new, simple openings within the 'coach house' and its loft hatch, this would not be the case for the other historic openings. Instead, such a specification would lead the windows to have a thickset and far less refined appearance incongruous to the otherwise more elegant joinery which pervades across Midford Castle and the Outbuildings.
11. Given the fairly limited impact of the works, the harm to the Outbuildings is quantified as less than substantial. Paragraph 199 of the National Planning Policy Framework (the Framework) explains that great weight should be given to the conservation of designated heritage assets. Paragraph 202 requires decision makers to weigh any less than substantial harm to a designated heritage asset against the public benefits of the scheme, including securing its optimum viable use. That balancing exercise must take place in the context of s.16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which sets a strong presumption against a grant of listed building consent for works that would cause harm to the special interest of a listed building.
12. The benefits of the proposed joinery are that it would contribute to the securing of the future of the 'coach house' and greenhouse and their increased thermal efficiency. However, the evidence suggests that both these things may be achievable with more sympathetic, slimmer detailing. As such, these benefits fall short of justifying the harm that would be caused; harm that must be given considerable importance and weight in the balance.
13. Furthermore, that conclusion draws the proposal into conflict with Policy CP6 of the Bath and North East Somerset Core Strategy (adopted 2014) and Policy HE1 of the Bath and North East Somerset Placemaking Plan (adopted 2017), both of which seek to protect the historic environment.
14. For these given reasons, and taking all other matters raised into account, I conclude that the appeal should be dismissed.

Matthew Jones
INSPECTOR