



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: 22 June 2022

Appeal Ref: APP/F0114/Y/21/3284042

46 Sydney Buildings, Bathwick, Bath BA2 6DB

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr Andrew Keith against the decision of Bath & North East Somerset Council.
 - The application Ref 21/00966/LBA, dated 2 March 2021, was refused by notice dated 24 May 2021.
 - The works proposed are demolition of a C20th Ground Floor side extension and replacing and enlarging the remaining Lower Ground Floor extension; including small internal and service alterations.
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Decision

1. The appeal is dismissed.

Main Issue

2. 45 and 46 Sydney Buildings is a circa 1825 Grade II listed building formed of a pair of semi-detached houses within the Bath Conservation Area (the CA). Within this context, the main issue is the effect of the proposal on the special architectural and historic interest of the listed building and, linked to that, whether it would preserve or enhance the character or appearance of the CA.

Reasons

3. Most of the houses at Sydney Buildings have fairly plain flanks, but those of the listed building are more embellished. Principal architectural devices employed include the extensive use of ashlar with well-ordered blind window recesses, which add texture and a crisp coordination to the building, leading its frontage and sides to possess a coherent, three-dimensional symmetry. This, in turn, allows Nos 45 and 46 to contribute positively to the CA, as part of the varied but high-quality architecture which comprises Sydney Buildings, from elegant dwellings down to the humbler commercial buildings nearer the canal edge.
4. The flank of No 46 has a lower ground floor projection of nineteenth-century origin, which was latterly partly extended up to ground floor level and houses a W.C, a use well expressed by its narrow proportions. More recent renovation has led this ground floor structure to blemish No 46 with mundane rendered walls and a crudely formed, modern roof. The negative effects of this work are, however, reduced by the modest scale of the ground floor element and its position set well back from the front corner of the building.
5. This would not be the case for the works, which would create a larger scale structure more conspicuous within the street scene, with a greater imposition upon the intended symmetry of the listed building. Critically, in being enlarged towards the building frontage, the structure would absorb a prominent section

- of ashlar wall and an important blind window, which are clearly legible from the street and thus add key definition to the south corner of the building's exterior. The existing rainwater goods are poorly placed but appear lightweight and thin and do not interfere with the arrangement of this elevation in the same way that the proposed works would. Moving them would offer scant mitigation.
6. The slate cladding and deep gold colour window frames are welcome insofar as they would offer a more sophisticated finish and allow the structure to present as an obvious modern addition. However, this would not mitigate the manner in which the architectural composition of the building would be significantly undermined. The likely original layout of the lower ground floor of the side projection would be reinstated, but I find that this would be a minor enhancement to a lower status area within an already well-preserved plan.
 7. Replacement of the concrete roof cladding with slate would be a modest gain as the roof is intended to, and does largely, hide behind its parapet and is not a key component of the building architecturally. It can be seen more clearly from the steep slopes of Bathwick Meadows to the east, but generally at a distance where the difference between slate and concrete is much less pronounced. Overall, the positive aspects of the works pale in significance to the harm that would arise. As such, in the parlance of the National Planning Policy Framework (the Framework), the scheme would cause less than substantial harms to the significance of the listed building and to the CA respectively.
 8. There is a strong presumption against works that would have such impacts through the workings of s.16(2) and s.72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Paragraph 199 of the Framework also explains that great weight should be given to the conservation of designated heritage assets. Paragraph 202 then goes on to require 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.
 9. In this case, there is limited public benefit in investing in a listed building in a manner that would cause it harm overall. I place little stock in the continuation of any historic narrative of 'sanitation-related extension' because the existing structure already offers that narrative, and arguably more clearly, given its narrower, closet like, form. Any increased functionality, thermal efficiency or reduction in the carbon footprint of the dwelling would be modest. In my view, these factors fall short of overcoming the considerable importance and weight I attribute to the aforementioned harms to the listed building and the CA.
 10. This also draws the scheme into conflict with the heritage aims of Policy CP6 of the Bath and North East Somerset Core Strategy (adopted 2014) and Policy HE1 of the Placemaking Plan for Bath and North East Somerset (adopted 2017).
 11. The appellant has drawn my attention to extensions to other properties across Bath. However, I do not know the exact details of these other sites, and I have assessed this scheme on its own merits, with reference to the CA, the architectural arrangement of the listed building and its key features of interest.
 12. Consequently, for the reasons outlined above, and taking all other matters raised into account, I conclude that the appeal should be dismissed.

Matthew Jones
INSPECTOR