



Appeal Decision

Site visit made on 20 September 2022

by S Edwards BA MA TCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th December 2022

Appeal Ref: APP/F0114/Y/22/3291723

19 Caroline Buildings, Pulteney Road, Widcombe, Bath BA2 4JH

- 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 Mrs Deborah Sharp against the decision of Bath & North East Somerset Council.
 - The application Ref 21/02801/LBA, dated 14 June 2021, was refused by notice dated 6 December 2021.
 - The works proposed are described as "Staircase wall at ground floor level – remove existing saturated gypsum plaster and fix 2 layers of lime lite background plaster, fix one layer of high impact breathable top coat plaster, decorate wall using minimum 3 coats of breathable paint in like for like colour. Carefully remove moulding and cupboard to be reused. Refit moulding and cupboard and paint with like for like colour (satin egg shell)".
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal scheme relates to a listed building located in a conservation area, and I shall therefore have special regard to sections 16(2) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
3. The site also lies within the Bath World Heritage Site (WHS), and I have therefore had regard to the effect of the works on the outstanding universal values, authenticity and integrity of the WHS.
4. The works subject to this appeal have been carried out, and the appellant seeks to regularise the unauthorised works. I shall proceed on this basis.

Main Issue

5. The main issue is whether the works preserve the special architectural and historic interest of no 19 Caroline Buildings, a Grade II listed building.

Reasons

6. The appeal building forms part of a long, straight terrace of twenty properties dating from circa 1800, which are collectively listed at Grade II. By virtue of its imposing scale and elevated position in relation to the road, the three-storey listed terrace sits prominently within the street scene. The terrace also shares many of the characteristics associated with the fine houses which the city of Bath is famous for, having notably regard to its limestone ashlar façade, timber sash windows, arched doorways with panelled front doors, as well as

continuous sill bands, moulded cornice and blocking course with plain parapet features. For these reasons and despite some unfortunate alterations, there is no doubt that No 19 and the terrace as a whole have significant special interest, which is primarily derived from its age, form and overall architectural composition.

7. No 19 Caroline Buildings has been subject to a number of changes during the twentieth century. The internal layout, in particular, was altered considerably when the property was converted into four self-contained flats, and the interior appears to have lost much of its significance. The appellant's submissions indicate that there was evidence of extensive damp in the communal hallway, and in particular, the plaster to the stairwell wall adjacent to the ground floor flat had become saturated.
8. The leaseholders of the appeal building have sought to address the cause of damp in order to cure it. In addition to repair works to a leaking rainwater downpipe, the saturated gypsum plaster was removed and the damaged wall was then left to dry out, before being replastered with a cement-based renovating plaster and painted. No evidence has however been presented to demonstrate that these works were supported by an independent survey carried out by an appropriate expert.
9. Modern materials such as gypsum plaster are impervious and their use in older buildings can have a detrimental effect on historic fabric, as they can trap excess moisture within walls and thus exacerbate damp issues. This is why traditional, breathable materials such as lime-based plaster are generally favoured, as they encourage the moisture to evaporate quickly and easily.
10. The removal of the existing gypsum plaster is not objected to, but it needs to be replaced with a suitable material. However, there is no certainty that the modern substitute which has been used to replaster the affected area has the same breathability properties as a traditional lime-based plaster, regardless of its low-cement content. Moreover, limited information has been presented regarding the composition of the paint. As a result, the works may in the longer term cause harm to the building's historic fabric, to the detriment of its significance.
11. My attention has been drawn to a number of examples where this product has been used in the context of historic buildings, though only limited information is before me regarding the significance of the buildings concerned or the background to these particular schemes. Accordingly, I am unable to ascertain whether the circumstances of these other cases represent a direct parallel to the appeal before me.
12. In the absence of substantive evidence to the contrary, I concur with the Council's view that less than substantial harm would be caused to the special interest of the listed building, to which I ascribe considerable importance and weight. In such circumstances, paragraph 202 of the National Planning Policy Framework (the Framework) advises that the harm should be weighed against the public benefits of the appeal scheme.
13. Addressing damp issues affecting the appeal building is important to protect the health of the residents. Furthermore, the continued maintenance and occupation of the listed building support its long-term conservation and can therefore be regarded as a public benefit. However, these benefits could have

equally been achieved if the works had been carried out using a non-cementitious plaster. The harm I have identified is not outweighed by any public benefits.

14. For the foregoing reasons, and adopting a precautionary approach, it is my view that the works fail to preserve the special interest of the listed building. The appeal scheme is therefore not in accordance with Policy HE1 of Bath and North East Somerset Council's Placemaking Plan (Adopted July 2017) and Section 16 of the Framework. Amongst other things, these require the significance of listed buildings to be sustained and enhanced, and encourage appropriate repair works.

Other Matters

15. No concerns have been raised by the Council regarding the effect of the appeal scheme on the Bath Conservation Area and the WHS, and there are no reasons for me to reach an alternative view. I therefore confirm that the works preserve the special interest of the Bath Conservation Area and the integrity of the WHS.

Conclusion

16. Given the above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

S Edwards

INSPECTOR