



Appeal Decisions

Site visit made on 7 December 2022

by Matthew Jones BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 January 2023

Appeal A Ref: APP/F0114/W/22/3301978

Solsbury View Cottage, 15 Church Street, Bathford, Bath BA1 7TU

- 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 Ker against the decision of Bath & North East Somerset Council.
 - The application Ref 22/00309/FUL, dated 23 January 2022, was refused by notice dated 5 April 2022.
 - The development proposed is additional storey to rear extension.
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Appeal B Ref: APP/F0114/Y/22/3301979

Solsbury View Cottage, 15 Church Street, Bathford, Bath BA1 7TU

- 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 Ker against the decision of Bath & North East Somerset Council.
 - The application Ref 22/00310/LBA, dated 23 January 2022, was refused by notice dated 5 April 2022.
 - The works proposed are additional storey to rear extension.
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Decisions

Appeal A

1. The appeal is allowed and planning permission is granted for additional storey to rear extension at Solsbury View Cottage, 15 Church Street, Bathford, Bath BA1 7TU in accordance with the terms of the application Ref 22/00309/FUL, dated 23 January 2022, subject to the conditions in the attached schedule.

Appeal B

2. The appeal is allowed and listed building consent is granted for additional storey to rear extension at Solsbury View Cottage, 15 Church Street, Bathford, Bath BA1 7TU in accordance with the terms of the application Ref 22/00310/LBA, dated 23 January 2022, and the plans submitted therewith, subject to the conditions in the attached schedule.

Main Issue

3. Solsbury View Cottage, 15 Church Street, is one of a pair of terraced cottages which comprise the 18th Century Grade II listed building 15 and 16 Church Street, which is located inside the Bathford Conservation Area (CA). In this context, the main issue in these appeals is the effect of the proposal on the special architectural and historic interest of 15 and 16 Church Street and, linked to that, whether it would preserve or enhance the character or appearance of the CA.

Reasons

4. The significance of 15 and 16 Church Street derives from its modest historic plan, its quaint proportions and its simple yet pleasantly articulate construction of rubblestone and Roman tile. These attributes are most apparent from the front and allow the building to contribute positively to the significance of the CA as part of the picturesque Church Street scene of historic cottages set in an informal terrace arrangement.
5. However, the historic plan has been altered by two relatively significant single storey rear extensions. No 16's extension has just broken the original eaves. No 15's is crudely formed in faced stone under a flat roof beset with bulbous roof lanterns and is harmful. No 15 has a replaced first floor window, and the rear elevation of the listed building has other alterations including a modern flue, render and rooflights. Nos 15 and 16 each recently had an attic dormer within the rear roofslope, with their rear walls covered by a metal sheeting (which is still in place at No 16). Thus, in terms of fabric, design and legibility, the rear of the listed building adds little to its significance nor to that of the CA.
6. Given the alteration that has evidently taken place, the proposal would likely remove a very limited degree of historic fabric. Whilst it would mark a further departure from the original plan, the historic core will remain legible in its roof profile above the extension. In addition, the proposed extension, with its pitched roof design and construction in Roman tile and potentially Bath stone, would have far greater design integrity than the existing structure. Overall, the effect on the significance of 15 and 16 Church Street would be neutral.
7. Consequently, the special architectural and historic interest of 15 and 16 Church Street would be preserved, as would the character and appearance of the CA. It follows that the proposal would accord with the heritage and design aims of Policy HE1 of The Placemaking Plan for Bath and North East Somerset (adopted 2017) and the National Planning Policy Framework.

Other Matters

8. The terraced houses on Church Street occupy narrow plots in a high density. It is therefore clear that the proposal would impact upon the living conditions of adjoining neighbours with respect to privacy, outlook, and light. However, the significance of the effect would be limited within the established context, where high levels of mutual overlooking and the imposition of built form is to be anticipated and indeed commonly already occurs. For this reason, the scheme would have an acceptable effect on the living conditions of adjoining residents.

Conditions

9. In order to ensure that the works are carried out to a sufficient standard of quality and with respect for the integrity of the listed building, a condition is necessary to secure the detailed form and finish of the walling.

Conclusion

10. For the reasons outlined above, and taking all other matters raised into account, I shall allow the appeals.

Matthew Jones
INSPECTOR

Appeal A – Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2, 3, 4 and the Site Location Plan.

Appeal B – Schedule of Conditions

- 1) The works authorised by this consent shall begin not later than three years from the date of this consent.
- 2) No construction of the external walls shall commence until a sample panel of all external walling materials to be used has been erected on site, approved in writing by the Local Planning Authority, and kept on site for reference until the works are completed. The works shall be undertaken in accordance with the approved details.