



Appeal Decision

Site visit made on 22 November 2022

by Mr S Rennie BSc (Hons), BA (Hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 February 2023

Appeal Ref: APP/D0121/W/22/3301108

1 Laurel Terrace, Yatton, North Somerset, BS49 4AF

- 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 Robin George against the decision of North Somerset Council.
 - The application Ref 21/P/2282/FUL, dated 9 August 2021, was refused by notice dated 22 December 2021.
 - The development proposed is for the erection of a replacement garage with a pitched roof following demolition of 3no existing garages, adjacent to 1 Laurel Terrace.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a replacement garage with a pitched roof following demolition of 3no existing garages adjacent to 1 Laurel Terrace, Yatton, BS49 4AF in accordance with the terms of the application Ref 21/P/2282/FUL, dated 9 August 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans/documents:
 - Location Plan
 - Block Plan
 - 2018-57-01: Existing Plan of Garages
 - 2018-57-02: Existing Elevation of Garages
 - 2018-57-03: Existing Elevation of Garages
 - 2018-57-04 Rev D: Proposed Plan of Garages
 - 2018-57-05 Rev A: Proposed south-west Elevation of Garage
 - 2018-57-06 Rev A: Proposed north-east Elevation of Garage
 - 2018-57-07 Rev A: Proposed south-east elevation of Garage
 - 2018-57-08 Rev B: Proposed Section A-A of Garage
 - Supporting Information Replacement Garages Adjacent to 1 Laurel Terrace, BS49 4AF
 - edp6548_r001c: 1 Laurel Terrace, Yatton, Heritage Statement
 - Construction Management Plan

- 3) The garage hereby permitted shall not be used except for private and domestic purposes and shall at no times be used for any commercial or business purposes whatsoever.
- 4) The materials to be used in the development hereby permitted shall be in complete accordance with the approved plans and specifications.

Main Issues

2. The main issues are the effect of the development on the character and appearance of the area, and the significance of the adjacent listed buildings, being 1-5 Laurel Terrace - a Grade II Listed Building.

Reasons

3. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, (the Act) is relevant to this appeal as it requires special regard as to whether to grant planning permission for development which affects a listed building or its setting.
4. The National Planning Policy Framework (the Framework) also advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Paragraph 199 of the Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
5. Laurel Terrace is a grand residential row with impressive architecture. The existing garage block is to the side of No 1 Laurel Terrace, across an access lane. I would regard the site as being within the setting of this listed terrace.
6. The garage block is currently a basic and utilitarian row of outbuildings, of no architectural merit. They are low profile being single storey with flat roofs, but I would still regard these garages to have a negative impact to the setting of the close-by listed buildings of Laurel Terrace.
7. The proposal would be to demolish three of these garages, mid-row, and construct a new singular garage to fill the same gap. However, the replacement garage would be larger overall, extending further to the rear and also the inclusion of a pitched roof. This pitched roof would make the replacement garage more prominent in the existing garage row and generally within this area.
8. Whilst more prominent than existing, the replacement garage would be a clear improvement in visual terms over what it would replace. A more modern building with its pitched roof would be an improvement over the existing and therefore also improve the setting of the listed building. The additional floorspace is towards the rear primarily and so would not have an adverse impact on the listed building setting.
9. The use of a pitched roof would be distinctively different to the remaining flat roof garages, but it would still clearly be a garage building. Furthermore, the heights of the existing garage roofs are not all the same, with there being some variation. The proposed pitched roof would be higher again, but being different to the remaining garages is not harmful in my opinion. It is also important to note the existing pitched roof garaging also in the area, including

within this lane. For these reasons the proposed development would not be harmfully incongruous or out of character as a new development in this area.

10. The ability to view and appreciate the listed buildings would not be detrimentally affected. The listed terrace row would still remain the most prominent buildings and the proposed garage would not detract from this. There is the small garden area behind the garage block associated with No 1 Laurel Terrace, but the addition of a pitched roof would not block much of what can be currently seen of the listed building from this garden. It is also understood that this separate garden area is not historically associated with No 1, which reduces its importance for this assessment.
11. The proposal would not increase the proliferation of garages or outbuildings around the listed building as it replaces three existing garages, albeit the proposed garage is larger overall.
12. The Council has drawn my attention to the appeal at Gisburn (Ref: APP/T2350/D/21/3282794). For instance, this previous appeal decision stated that it was the design and detailing of the garden room/office and the shed which harmed the setting of the listed host dwelling, though in this case there is no similar issue with the proposed detailing or appearance of the proposed garage. Whilst I have taken this into account, there are differences in the circumstances between this proposed development and that proposed with the previous Gisburn appeal. As such, I have primarily considered this appeal on its own merits.
13. Overall, the proposed replacement garage would preserve, if not improve, the setting to the adjacent listed building at Laurel Terrace. It would not be out of character or have a harmful visual impact to the area. The proposal is therefore in accordance with policy DM4 of the Sites and Policies Plan (Part 1) and policy CS5 of the Core Strategy. These policies require that development preserves and where appropriate enhances the character, appearance and special interest of the listed building and their setting. The proposal is also in accordance with section 16 of the National Planning Policy Framework, as it conserves the heritage asset's significance.

Other Matters

14. There have been objections to the proposals from neighbours. Having visited the site the increase in height as a result of the pitched roof would be visible from neighbouring properties, but it would not be of a height that would result in an overly oppressive visual impact or significant loss of light into neighbouring properties. There is also no reason to assume that the proposed development would result in damage to adjacent garages or other structures.
15. It is understood that the site is located within the Council's Greater Horseshoe Bat Zone B, which relates to consultation for the North Somerset and Mendip Bats Special Area of Conservation (SAC). The Council concluded that the site is not likely to be used by bats or any other protected species, and I have no evidence to the contrary. As such, there is no likely impact on bats or the SAC integrity.
16. There were some questions about the red line boundary with the planning application, but I have no firm evidence to prove that this has been drawn to

include other parties land. I have therefore included the site location plan with my assessment of this proposal.

Conditions

17. I have considered the conditions put forward by the Council against the requirements of the Planning Practice Guidance (PPG) and the Framework.
18. I have attached the standard time limit condition and a plans condition as this provides certainty. I have also added a condition concerning materials to ensure a satisfactory appearance.
19. Finally, there is a condition to ensure that this proposed large garage remains as proposed, and not used for commercial or other such alternative uses, which may have adverse impacts to neighbour living conditions for example.

Conclusion

20. For the reasons given I conclude that the appeal should succeed, subject to the included conditions.

Mr S Rennie

INSPECTOR