



Appeal Decision

Site visit made on 16 January 2024

by Mr Andre Pinto BA, MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 April 2024.

Appeal Ref: APP/E3335/D/23/3332002

1 Northfield, Bridgwater, Somerset, TA6 7EZ

- 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. S Henderson against the decision of Somerset Council.
 - The application Ref 08/22/00226, dated 21 November 2021, was refused by notice dated 9 August 2023.
 - The development proposed is to replace stone wall in rear garden (retrospective).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. In determining this appeal, as the proposed development is located within a Conservation Area, I have had special regard to section 27(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
3. During the appeal, a new version of the National Planning Policy Framework (the Framework) came into effect. I have taken it into consideration as part of my decision. However, there are no material changes relevant to the substance of the appeal.

Main Issue

4. The main issue is whether the proposal has preserved or enhanced the character and appearance of the Bridgwater Northfield Conservation Area (the CA) and whether any harm to the significance of the CA is outbalanced by any public benefit.

Reasons

5. The CA, centred around Northfield, is characterised by its 19th century residential buildings with its extensive use of red sandstone, as the principal construction material, alongside the use of timber mouldings on windows and gables and other decorative features giving the area its distinctive feel and appearance. 1 Northfield is an example of this type of dwelling with its use of red sandstone, timber mouldings on the gables and some timber fenestration.
6. As stated within the Conservations Areas of Sedgemoor Appraisal and Audit (the CA Appraisal), some of the boundary walls, which are generally prominent in the street scene, have been removed or rebuilt to different levels with alternative materials and different capping thus collectively losing original detail and rhythmic appearance.

7. Section 72 of the Act, as recognised by the Appellant in its own Statement of Case, requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the CA.
8. The proposal is for the replacement of a stone wall in the rear garden, retrospectively. A replacement wall has been constructed, in reconstituted stone and in a natural colour, to replace the previous existing wall which, according to the Appellant, was in a poor state of repair. The wall constructed in its place is of a material, colour and overall appearance that is clearly and significantly distinct from the rest of the dwelling which is dominated by the use of red sandstone and red brick.
9. The Appellant has stated, in its Statement of Case, that it believes that the wall preserves the character and appearance of the CA as the proposal relates to a side boundary wall, located to the rear of the property and is at a considerable distance from the edge of the carriageway. The Appellant also states that, given the variety of materials in the locality, the proposal preserves the character and appearance of the CA and does not adversely affect the visual amenities of the area.
10. Although I accept that the wall is at some distance from the main carriageway, the proposed development is still clearly visible from its edge and, due to its contrasting material, colour and overall appearance, its visual impact is evidently noticeable from public land.
11. I also accept that there is a variety of boundary treatment and materials in the locality which fail to be consistent with the dominant character and appearance of the CA. However, as noted in the CA Appraisal, the removal or the rebuilding of walls has, collectively, resulted in the loss of original detailing and rhythmic appearance. Consequently, I do find that the present proposal, with its clearly distinct material, colour and appearance, would further erode the character and appearance of the area and therefore fail to preserve or enhance the character and appearance of the CA.
12. Consequently, the proposed development would be contrary to the National Planning Policy Framework (the Framework), Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and policies D2 and D26 of the Sedgemoor Local Plan 2011 to 2023, which seek to promote high quality and inclusive design and protect the historic environment.
13. When considered alongside the modest scale of the development, I characterise the magnitude of this harm as less than substantial. The Framework requires that, where a development proposal leads to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
14. No particular public benefits have been brought to my attention in relation to the proposed development. I acknowledge, however, there would be some public benefit particularly, economic. However, any such public benefits would be very modest given the small scale of the development and these would be substantially outweighed by the relatively significant harm arising, bearing in mind the importance and protection given to designated heritage assets by statute and national and local planning policy.

Conclusion

15. For the reasons given above, I conclude that the appeal should be dismissed.

Mr Andre Pinto

INSPECTOR

