



Appeal Decision

Site visit made on 26 January 2026

by Mr Cullum Parker BA(Hons) PGCert MA FRGS MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 25 February 2026

Appeal Ref: APP/F0114/W/25/3365147

Flat 1, 9 Walcot Buildings, BATH, BA1 6AD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Jonothan Hope against the decision of Bath and North East Somerset Council.
 - The application Ref is 24/03718/FUL.
 - The works proposed are described as *'Construction of a stand-alone outbuilding, partway down the garden, to the right, when looking towards the river. Set 1.74m down from the middle terrace, with a remaining 1m visible from the top garden / property. This would create a home office and guest bedroom'*.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application form seeks planning permission. The Appellant have completed an appeal form for listed building consent. On querying this, the Appellant indicated that they had submitted one form to which they considered meant that they had applied for both listed building consent and planning permission. However, there is only one decision notice before me; which is the refusal of planning permission. I have proceeded on the basis that it is the refusal of planning permission to which the appeal relates.
3. The Officer's Report indicates that the proposed development is located within the Bath World Heritage Site, where policy B4 of the Core Strategy states that consideration must be given to impacts on the heritage asset and its setting. *'Whilst it is considered that the design and siting of the proposed outbuilding is not appropriate and would adversely impact the setting of the surrounding area, it is considered that it will not adversely impact on the Outstanding Universal Value of the World Heritage Site.'* I see no reason to disagree.

Main Issue

4. The effect of the proposed development on the setting of the nearby listed buildings, the Bath Conservation Area, and on the character and appearance of the area more generally.

Reasons

5. The appeal site is located on the southern site of London Road. It contains a three-storey Grade II listed building. The front of the property at ground floor level is in retail use and the rest of the property consists of residential flats.

The building is located within the Bath Conservation Area and World Heritage Site. To the rear of the building is a three-storey extension built in the 1960s, with a further single-storey extension beyond approved in 2018. The proposal relates to Flat 1 which includes a generous landscaped garden leading down to the River Avon.

6. The outbuilding would be used as a home office and guest bedroom. As detailed on the submitted drawings, the proposal seeks to erect an outbuilding with the dimensions of roughly 2.74 metres to the roof (at the highest point, nearest to the River Avon), a width of approximately 5 metres (with the roof overhang having a total width of 5.30 metres), and a depth of 9 metres¹.
7. The floor plan shows a mix of bi-folding doors and windows, with a store room and WC located towards the northern end of the proposed building. Externally the building is detailed on the application form as to have vertical wooden strips wooden cladding, anthracite UPVC edging with living roof (either grass or sedum) and anthracite aluminium windows.
8. The significance of the listed building derives from the architectural and historic interest it possesses. Similarly, the significance of the conservation area, which covers the entirety of the historic heart of Bath, also derives from these factors. This includes the repetitive use of similar materials and styles from the late 1700 to early 1800s, which gives the city a relatively uniform character.
9. The proposal does not alter the historic fabric of the listed building nor would it be physically attached to it. Nonetheless, the proposal seeks the erection of a large outbuilding in the middle part of the rear garden. Due to its excessive size – in width and depth in particular – the proposal would have a dominating effect on the appearance of the area. Even though the outbuilding would be partially set into the bank; thus reducing some visual impacts when viewed from particular angles, and the timber cladding would likely soften with age, the fact remains that the footprint would be excessively large.
10. I note that efforts were made between the Appellant and Council to negotiate a smaller footprint. However, this has not resulted in an amended scheme being put forward to as part of the application or appeal processes. I have considered the proposal on the basis on the plans which the decision notice was issued against.
11. The proposal would be visually prominent when viewed from nearby gardens and properties, and from the River Avon. Due to its size it would erode the distinctive (reasonably) large gardens found in this part of the city. These are reasonably large gardens leading down to the River Avon and are an important characteristic of this part of the city and Bath Conservation Area. This would result in a negative impact; not only on heritage assets but also in terms of the character and appearance of the area more generally.
12. Accordingly, I find that the proposal fails to preserve or enhance the character and appearance of the Bath Conservation Area. Furthermore the proposal would fail to preserve the setting of the Grade II listed building including those at Walcot Terrace. As such, the proposal would fail to accord with the duties

¹ As shown on drawings 9WB - Q - 02a and 9WB - Q - 02b, and a first page unlabelled.

set out in s66(1) and s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended.

13. In accordance with Paragraph 202 of the Framework, I consider that the proposal would result in less than substantial harm to the designated heritage assets. This harm should be weighed against the public benefits. I note that the Appellant points to the creation of additional space benefits the proposal would result in. However, I do not find that these or any other public benefits put forward outweigh the harm identified.
14. Accordingly, the proposal would not accord with Policies CP6 of the adopted *Core Strategy* (2014) or Policies D1, D2, D5 and HE1 of the *Placemaking Plan for Bath and North East Somerset* (2017), which, amongst other aims, seek to ensure that developments within the vicinity of listed buildings will be expected to have no adverse impact on their setting, and that developments contribute positively to and do not harm local character and distinctiveness.

Conclusion

15. The proposed development would not accord with the adopted development plan, and there are no material considerations which indicate a decision otherwise than in accordance with it.
16. For the reasons given above the appeal should be dismissed.

C Parker

INSPECTOR