

Appeal Decision

Site visit made on 22 August 2016

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 20 September 2016

Appeal Ref: APP/Y9507/W/16/3148207

Land west of Highclere, The Street, Binsted, Alton GU34 4PF

- 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 Greg Smith, St Edmunds Developments Ltd against the decision of the South Downs National Park Authority ('the NPA').
 - The application, Ref. SDNP/15/06474/FUL, dated 23 December 2015, was refused by notice dated 26 February 2016.
 - The development proposed is the erection of 3 dwellings on land adjacent to Highclere.
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Decision

1. The appeal is dismissed.

Preliminary Matter and Main Issues

2. Since the refusal of the appeal application there have been amendments to the Government's Planning Practice Guidance 2014 in respect of the abolition of infrastructure and affordable housing contributions for schemes of five dwellings or fewer in designated rural areas including the National Park. The NPA has accordingly acknowledged that such contributions are no longer sought in connection with the appeal scheme.
3. The main issues are therefore (i) the effect of the proposed development on the character and appearance of the area; (ii) the effect on Cobdens, a nearby Grade II listed building, in terms of its setting and the living conditions for existing and future occupiers as regards outlook, and (iii) the effect on highway safety.

Reasons

Character and Appearance

4. Having regard to the position of the site within the current Settlement Policy Boundary for Binsted the NPA does not object to the principle of the residential development of the site. In this connection permission was granted for two dwellings in June 2016 under planning application reference SDNP/16/01579/FUL. However, it is considered that the proposal for the three detached dwellings in this appeal would harmfully close the existing gap in the linear development along this part of The Street.
 5. I have given careful consideration to the appellant's view that, amongst other matters, the dwellings in the appeal scheme have been amended from an
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earlier version to adjust the scale, siting and design to be more in keeping with their immediate surroundings; that the design in particular has sought to ensure that the proposed houses pay due deference to the architectural features and design of Cobdens; that the siting provides generous front gardens to reflect the development pattern of the houses to the east, and that particular attention has been given to the extent and quality of the gap between Unit 3 and Cobdens.

6. Because of these factors the appeal scheme is not without merit and I note in particular that rear garden depths compare favourably with those of neighbouring properties. However, I consider that three dwellings would represent an intensity of built form that would be perceived as excessive for the rural and varied character of the existing street scene. The gap between the flanks of Units 1 & 2 and 2 & 3 is only 2.2m in each case and these relatively minimal distances for this rural location would combine with the substantial length of the dwellings to restrict views of the sky and landscape to the rear of the site.
7. The effect of this, the overall narrowness of the plots and there being little or no variety in the front building line would mean that the houses would be read for the most part as a single mass of building, particularly from the more oblique angles in the approach in The Street from either direction. When the higher levels than the road, the partial loss of the front hedge and the hard surfaced parking and turning areas are also taken into account, the overall impact would be one of too much development for the site and a scheme that results in unacceptable harm from the change to the existing character and appearance of The Street.
8. The appellant has cited the nearby development of Lovell Gardens for comparative purposes and the parties will be aware that on my visit I made a point of seeing this development from The Street. However, this is a cul-de-sac development set back from the existing road frontage and as such it had the potential to be much more of a separate entity than the current appeal scheme. I do not consider it to be a reasonable or relevant comparison.

Effect on Cobdens

9. The approved scheme for two dwellings on the site maintains a gap of 16m between the front (eastern) elevation of Cobdens and the flank wall of the nearest new dwelling and the NPA considers that its reduction to about 12m in the current proposal would harm the setting of the listed building. Both the approved scheme for two dwellings and the current proposal involve a secondary elevation of a modern building directly facing the principal elevation of the listed building, with the latter's historic appearance and rural character making a particularly important contribution to its surroundings.
10. In the light of this I accept the NPA's view that the gap between Unit 3 and Cobdens would be insufficient to preserve the latter's setting. Because the impact would have a negative impact on the setting I consider that it would materially harm the character of this designated heritage asset. Although this harm would be 'less than substantial' to the asset's significance, I take the view that in applying paragraph 134 of the National Planning Policy Framework 2012

(‘the Framework’), the public benefit of an additional dwelling to that already approved would be insufficient to outweigh the harm caused.

11. I am also minded to agree with the NPA’s view that the gap would be insufficient to avoid a harmful effect on the outlook from the numerous windows in Cobdens, albeit this in itself would not be determinative in the appeal.

Highway Safety

12. On this issue, the NPA has pointed out that the appeal statement refers to a drawing not considered as part of its decision. Be that as it may, I do not regard the Highway Authority’s reservation as to the adequacy of the access to and egress from the plots to be a fundamental flaw in the proposal. Rather, it is more a matter of the imposition of conditions that may include the requirement of the submission of one or more amended plans. However, in view of my conclusions on issues (i) and (ii) there is no necessity for me to address this matter further as part of this appeal.

Conclusion

13. Overall, I conclude that the appeal scheme would be unacceptably harmful to the character and appearance of the area and the setting of Cobdens, a Grade II listed building. This would be in harmful conflict with Policies CP20, CP27 & CP29 of the East Hampshire District Local Plan - Joint Core Strategy 2014; Policy HE12 of the East Hampshire District Local Plan Second Review 2006, and Government policy on design and the historic environment in the Framework. I have taken account of all the other matters raised for the appellant but have found nothing to alter my conclusions on these two main issues.
14. The appeal is therefore dismissed.

Martin Andrews

INSPECTOR