

Appeal Decisions

Site visit made on 18 October 2016

by Mr J P Sargent BA(Hons) MA MRTPI

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

Decision date: 08 November 2016

Appeal Ref: APP/A1720/Y/16/3153924

38 South Street, Titchfield, Fareham PO14 4DJ

- 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 Mrs A Sketchley against the decision of Fareham Borough Council.
 - The application Ref P/16/0479/LB, dated 22 April 2016, was refused by notice dated 17 June 2016.
 - The works proposed are a conservatory.
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Appeal Ref: APP/A1720/W/16/3154842

38 South Street, Titchfield, Fareham PO14 4DJ

- 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 Mrs A Sketchley against the decision of Fareham Borough Council.
 - The application Ref P/16/0478/FP, dated 22 April 2016, was refused by notice dated 17 June 2016.
 - The development proposed is a conservatory.
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Decision

Appeal APP/A1720/Y/16/3153924

1. The appeal is dismissed.

Appeal APP/A1720/W/16/3154842

2. The appeal is dismissed.

Main Issues

3. Having regard to sections 16, 66 and 72 in the *Planning (Listed Buildings and Conservation Areas) Act 1990* (the Act) and the guidance in the *National Planning Policy Framework* (the Framework), the main issues in this case are whether the works would

- preserve the special architectural or historic interest of this Grade II listed building,
- fail to preserve the character or appearance of the Titchfield Conservation Area and
- affect the significance of either of these designated heritage assets,

and if harm would be caused, whether that would be outweighed by public benefits.

Reasons

4. At the front of the site and running the full width of the plot is a 2 storey hipped roof element of the Appellant's house that dates from the 18th or early 19th Century. Originally it was 2 dwellings but now it is a single property (although in the submissions it is sometimes referred to as 36-38 South Street). Its overall form and appearance reflect its age and its origins as housing in a small historic rural settlement, and this is reinforced both inside and out by sympathetic detailing.
5. On the rear of this is a 2-storey addition, again running the full-width, that dates from around the middle of the 20th Century, while added to that and once more going from one side of the plot to the other is a later single storey extension. Submitted photographs appear to show that until recently these 2 additions were poorly maintained and of an appearance that conflicted markedly with the older front portion of the house. However, their windows have now been changed to timber, a pitched roof has been added and the brickwork has been painted. Beyond those extensions is a walled back garden.
6. The significance of this building therefore lies, to a great extent, in the form and detailing of the oldest element at the front. Despite the intervening 20th Century additions, the rear garden also contributes to the significance of the building by identifying its plot form, while the extensions show how the building has been adapted over time. I consider the recent works to these rear elements have very much reduced their discordant nature and assisted in their better integration into the property's historic character.
7. No 38 is within the conservation area, the significance of which lies, in part, in the way it contains a variety of properties of a range of ages, sizes and styles that show the organic evolution of Titchfield over time. Despite its various additions, No 38 with its older section makes a positive contribution to the significance of this area, and the recent works to the 20th Century extensions have enhanced this contribution still further.
8. In 2015 planning permission and listed building consent were granted for a timber framed conservatory on part of the existing rear elevation of the property, and work on this has not yet started. What is now proposed would have a similar siting and slightly smaller footprint, but it would have a UPVC frame with a wood grain effect, and it would also include various additional design details. The reason given for the change of materials is one of cost.
9. In the light of the 2015 permission and consent, I raise no objections in principle to enlarging the dwelling by this amount, or to the introduction of a conservatory of this siting and these dimensions.
10. However, what is before me would be a sizeable structure made predominantly of a modern material that is alien to the surrounding historic environment. The oldest part of the dwelling would be separated from the proposal by the intervening additions, but despite this, the listed building is appreciated as a whole within its curtilage and in my view insensitive works at the rear could still harm its significance. By using discordant materials on a conservatory of this size I consider that the historic character of the building, already affected by the 2 extensions, would be further diluted. Moreover, its relationship to its rear garden, partly improved by the recent works to the existing additions, would be diminished. As such, I consider that what is before me would

- adversely affect the appreciation and understanding of this heritage asset, thereby harming its significance and lessening its historic interest. Whilst I noted the plastic gutters, the flue and similar on the building now their impact on its significance is not sufficient to mean these works would be acceptable.
11. Moreover, views of the conservatory from outside the curtilage would be very much restricted but that does not mean the statutory test in section 72 of the Act should be put to one side. In any event, it may be possible to glimpse the conservatory from adjacent land, and certainly it would be apparent when in the back garden of No 38. To my mind given its size and unsympathetic material this structure would undermine to some degree the various improvements that have recently been made to the rear of the building and it would constitute a discordant feature in the conservation area that did not preserve its character or appearance.
 12. Therefore, even accepting the UPVC would be of a wood grain effect, I find the proposal would cause harm, albeit less than substantial, to the significance of both the listed building and the conservation area.
 13. In coming to this view I have noted the Appellant's contention that requiring the construction of a timber conservatory is disproportionate when its cost is balanced against the harm caused by the current proposal. Given its size though that is not a view I share. Works to listed buildings are often more expensive and it is for the developer to decide whether they are affordable and justify the financial outlay.
 14. While she considered a conservatory will always be alien on this building, to my mind any alien effect that may occur would be emphasised by the use of UPVC. While structures of a similar material might well be present in the vicinity I have no knowledge of their histories and cannot afford them significant weight.
 15. The Council has expressed a further concern about the detailing and proportions of the conservatory. However, while there would be decorative features on the roof their impact would not be sufficient to harm the building's significance, and, comparing the approved scheme to the plans of this proposal, I am not satisfied that the proportions of the structure would be inappropriate.
 16. Turning to the issue of public benefits, in the Framework one of the core planning principles is the need to conserve heritage assets in a manner appropriate to their significance. Paragraph 132 says great weight should be given to the conservation of a designated heritage asset, and any harm requires clear and convincing justification. In paragraph 134 it goes on to say that where a proposal would lead to less than substantial harm to the significance of such an asset that harm should be weighed against the proposal's public benefits, including securing its optimum viable use.
 17. The conservatory is to create a light place for the Appellant to work at home, and it seems this cannot be achieved with a timber conservatory because of the expense. To my mind though that in itself does not necessarily mean what is before me now secures the optimum viable use for the building as I have no reason to consider its residential use could not function without such works. Therefore, any benefit resulting from this is likely to be private rather than public in nature. No other possible public benefits have been highlighted.

18. Accordingly I conclude that the works would fail to preserve the special architectural or historic interest of this Grade II listed building and would not preserve the character or appearance of the Titchfield Conservation Area causing less than substantial harm to the significance of these designated heritage assets. In the absence of any public benefits to outweigh this harm I conclude the works would conflict with Policy CS17 in the *Fareham Local Development Framework Core Strategy*, Policy DSP5 in the *Local Plan Part 2: Development Sites and Policies* and the Framework.

J P Sargent

INSPECTOR