
Appeal Decision

Site visit made on 1 November 2016

by Debbie Moore BSc (HONS) MCD MRTPI PGDip

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

Decision date: 16th November 2016

Appeal Ref: APP/C1760/W/16/3154030

Copyhold Cottage, Village Street, Chilbolton, Hampshire SO20 6BA

- 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 and Mrs Dique Li against the decision of Test Valley Borough Council.
 - The application Ref 16/00029/FULLN, dated 4 January 2016, was refused by notice dated 4 March 2016.
 - The development proposed is described as “construct 2 dwellings”.
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Decision

1. The appeal is dismissed.

Procedural matters

2. There is a planning history relevant to the appeal. Planning permission was granted in April 2011 for the “erection of a dwelling and detached double garage together with a new vehicular access”¹ (the 2011 planning permission). The siting of the house at plot 2, as proposed in the current appeal scheme, is consistent with the 2011 planning permission.
3. Also, planning permission was refused in April 2015 for the “erection of 2 No two storey dwellings”², and a subsequent appeal was dismissed.³ The Inspector concluded that the development would cause harm to the sensitive and locally distinctive visual harmony and architectural vocabulary of the Conservation Area and that there would be a negative impact on the setting of the listed Chalkdell Cottage. I have had regard to the 2011 planning permission and the Inspector’s findings in my consideration of the current scheme.
4. I note that there was an earlier appeal, however, the full balance of considerations that informed that decision is not before me. In any event, it appears that the site characteristics have changed since the appeal was dismissed in 2009. I have therefore given limited weight to this decision.
5. The description of development given in the application form is “construction of a new 3-bedroom dwelling and revised parking layout”. However, it is clear from the plans that planning permission is sought for two dwellings, albeit that one of these would be on the same site as the dwelling approved under the

¹ Ref 10/01469/FULLN

² Ref 14/02876/FULLN

³ Ref APP/C1760/W/15/3131657

2011 planning permission. The description of development given in the appeal form is "construct 2 dwellings", which is consistent with the Council's decision notice. I have used this as the description of development given above. I have considered the appeal on this basis as I am satisfied that there would be no prejudice to either party or those people who have commented on the scheme.

6. In the light of the Community Infrastructure Levy charging schedule coming into force on 1 August 2016, the Council is no longer seeking financial contributions towards public open space and highways infrastructure as planning obligations, unless they relate to site specific requirements. Consequently, the Council has advised it is no longer pursuing reasons for refusal 2 and 4.
7. The Council has also confirmed that it is no longer pursuing reason for refusal 3, which relates to the requirement for a financial contribution towards the provision of affordable housing in the Borough. I have therefore determined this appeal on the basis of the first reason for refusal only, as set out as the main issue below.

Main Issue

8. The main issue is the effect of the development on the character and appearance of the area, in particular, the setting of the nearby listed building, Chalkdell Cottage, and the Chilbolton Conservation Area.

Reasons

9. The appeal site was formerly part of the garden of Copyhold Cottage but is now a separate parcel of land. It is located towards the western end of Village Street and is within the Conservation Area. This part of the Conservation Area is characterised by its historic linear development, with groups of listed buildings located in prominent positions at the edge of the road. The former garden to Copyhold Cottage, which now forms the appeal site, is identified in the Council's Character Appraisal⁴ for its contribution to the "soft arcadian character" of the area. There are a number of modern buildings in the vicinity, some of which have strong landscaped frontages and make a positive contribution to the area. However, other modern development is less sympathetic.
10. Chalkdell Cottage is an early 19th Century house which is listed grade II. It is significant due to its group value and prominent roadside location, and also for its vernacular architectural style which is characteristic of the wider Conservation Area.
11. The appearance of the site has changed considerably to enable the construction of the dwelling approved under the 2011 planning permission. It seems that roadside planting has been removed and, I saw from my site visit, that excavation has taken place to reduce the land levels within the site. Despite the excavation, the proposed houses would be located at a higher level than the houses opposite and the neighbouring Chalkdell Cottage. Although some of the trees along the road frontage would be retained, and further planting is proposed, the houses would be prominent in views from Village Street due to their size and the land levels. I appreciate that longer range views towards the site from the north are restricted. Nevertheless, the site occupies a key

⁴ Chilbolton Conservation Area Character Appraisal (2009)

roadside location and the development would be visible, especially in views from the south.

12. The development would include a shared driveway with a central parking and turning area. This layout, combined with the modern design of the houses, would result in a development with a suburban appearance which would not reflect the local distinctiveness and the traditional built character of the village. The proposal would be a prominent and uncharacteristic form of development that would have an adverse effect on the significance of the Conservation Area.
13. Plot 1 would be sited close to Chalkdell Cottage and although set back from the road, the proposed dwelling would be seen in context with the listed building due to its proximity and the higher land levels. The development would not be sympathetic to this historic building in terms of its proposed design and siting. The significance of Chalkdell Cottage, as one of a modest group of listed buildings that reflects the historic development of the village, would be eroded by the erection of a modern and relatively large detached house in close proximity.
14. The dwelling at Plot 2 would be on the same site as that approved under the 2011 planning permission, and Plot 1 reflects the approved design. However, I consider that the combined effect of the two dwellings and the associated car parking area would be harmful.
15. I find that the development would fail to preserve the setting of the nearby listed building, and would not preserve or enhance the character and appearance of the Conservation Area in accordance with Policy E9 of the Local Plan⁵. The development would not integrate, respect and complement the character of the surrounding area due to its appearance, scale and design. Consequently, the proposal would not meet the aims of Policy E1 of the Local Plan.

Conclusion

16. The development would make a very limited contribution to the Borough's housing supply and that future occupiers may support local services and facilities. Also, the additional landscaping would make a positive contribution to restoring the former value of the site within the Conservation Area.
17. However, I conclude that the development would lead to harm, as described above. Whilst, the harm to the significance of the designated heritage assets would be relatively localised, and therefore less than substantial in terms of the national policy, I give great weight to the conservation of the listed building and the Conservation Area. There are limited clear public benefits that would outweigh the harm in this instance.
18. For the reasons set out above, the appeal is dismissed.

Debbie Moore

Inspector

⁵ Test Valley Borough Revised Local Plan 2011 – 2029 (2016)