

Appeal Decisions

Site visit made on 8 November 2016

by R Barrett BSc (Hons) MSc Dip UD Dip Hist Cons MRTPI IHBC

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

Decision date: 5th December 2016

Appeal Ref: APP/C1760/W/16/3155835 (Appeal A)

Rosemary Cottage, Church Street, Wherwell, Andover, Hampshire SP11 7JJ

- 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 Anne Spencer against the decision of Test Valley Borough Council.
 - The application Ref 16/00889/FULLN, dated 8 April 2016, was refused by notice dated 3 June 2016.
 - The development proposed is a single storey extension to rear.
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Appeal Ref: APP/C1760/Y/16/3155843 (Appeal B)

Rosemary Cottage, Church Street, Wherwell, Andover, Hampshire SP11 7JJ

- 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 Anne Spencer against the decision of Test Valley Borough Council.
 - The application Ref 16/00891/LBWN, dated 8 April 2016, was refused by notice dated 3 June 2016.
 - The development proposed is single storey extension to rear.
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Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Procedural Matter

3. Appeal A and Appeal B relate to the same site. Whilst I have considered each proposal on its own merits, given that they have much in common, and in the interests of brevity, I have dealt with them in one document.

Main Issues

4. The main issues, in both appeals, are;
 - Whether the proposed works and development would preserve the special architectural or historic interest of Rosemary Cottage; a grade II listed building;
 - Whether they would preserve or enhance the special character or appearance of the Wherwell Conservation Area (CA); and
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- Whether they would preserve biodiversity and a protected species.

Reason

Background

5. A previous planning permission and listed building consent has been brought to my attention (Ref 15/01887/FULLN and 15/01889/LBWN). This is for a rear addition in roughly the same position. As the appellant could implement that planning permission and listed building consent, I accept that it is a valid fall-back position. However, that development and works would be simpler in form and more solid in appearance and would not cause harm to the listed building or the CA, which reduces the weight that I accord it.
6. I acknowledge that the appellant considers that the previously approved addition is impractically designed and unable to be implemented. However, that the eaves height would be too low to accommodate a standard height door and the roof pitch too shallow to take a tile does not indicate that it is unable to be implemented per se. I do not accept that the shallower pitch would not enable adequate rainwater runoff.

Listed Building

7. The appeal site includes a grade II listed building that sits close to the edge of the street. It is a modest, two storey cottage with eighteenth century origins. It has painted walls and a large, mostly unpunctuated thatched roof, as seen from the street, with an upright prominent chimney stack. Its form is elongated and low, with a simple footprint. Window openings are small and limited in number, such that the appeal property has a generally solid appearance. Although the appeal property has been altered over time, and has a rear protrusion with a double pitched roof form, the elements that I have identified are still appreciable and contribute to its significance as a designated heritage asset.
8. The appeal proposal would include extensive areas of glazing and its lightweight appearance would be at odds with the more solid appearance of the host dwelling. This would be the case, even though areas of brickwork are included. In addition, the proposed glazed lantern, which would sit prominently near to the existing building, would have a more complex roof form than the listed building generally and, together with the double pitched roof form of the existing rear protrusion, would fail to respect the low elongated form of the host building and in particular its generally unpunctuated thatched roof. All in all, for these reasons, it would detract from the significance of the listed building that I have identified.
9. I acknowledge that the appeal proposal would include an oak frame from a sustainable source, with painted brickwork sides, reclaimed slate and would involve minimal disturbance to the existing weather boarding. It would also employ traditional carpentry methods and the proposed timber frame could be used elsewhere in the future. I also acknowledge that it would be lightweight and appear as an addition and would use sustainable drainage solutions. I am also aware that the appeal before me would not include any new structural openings. However, these matters, together, do not overcome my concern.
10. The appellant has pointed out that the appeal proposal would result in improved accommodation for future occupiers, in amongst other things,

providing a light and airy room and would enable sustaining the appeal dwelling in its optimal viable use. However, those benefits are restricted to future occupiers only and I have no substantive evidence that the appeal building would not be viable as a dwelling. Together, they do not outweigh the harm identified.

11. I conclude that the appeal proposal would fail to preserve the special architectural or historic interest of Rosemary Cottage. For this reason, it would be contrary to policy E9 of the Test Valley Borough Revised Local Plan 2011-2029 (2016) (LP). That policy aims that development or works affecting a heritage asset make a positive contribution to sustaining or enhancing its significance, taking account of its character, appearance and setting.

CA

12. The appeal property is located within a CA, which is mainly set within the valley of the River Test, with later development extending up into the valley sides. It has a rural hinterland dominated by a steep wooded escarpment. It is generally compact in form, mainly residential, with a few local facilities and a rural and generally tranquil feel.
13. Buildings are mostly in a residential use and a high proportion historic, with many one plot deep, built close to the road and compact in footprint and form. Cottages are set close to one another, many timber framed and most with light coloured painted walls, such that traditional forms and materials dominate. Window openings are generally small and limited in number and roofs are unpunctuated thatch, as seen from the street, such that they have a generally simple, low elongated form and solid appearance. The appeal property, and the line of cottages in Church Street of which it forms a part, contribute to the character and appearance of the CA and its significance as a designated heritage asset.
14. I have already found that the appeal proposal would cause harm to the significance of the listed building. Even though views of the appeal proposal would be limited from the street, it would be visible from other rear gardens in the CA. In causing such harm, as the appeal site contributes to the character and appearance of the CA, it follows that it would fail to preserve the character and appearance of the CA. The matters in support and benefits brought to my attention would not outweigh that harm.
15. I conclude that the appeal proposal would fail to preserve or enhance the character or appearance of the CA and would fail to accord with policies E1 and E9 of the LP. Those policies, together, aim for development of a high quality in terms of design and local distinctiveness that sustains or enhances the significance of a designated heritage asset.

Public Benefits

16. In accordance with paragraph 132 of the National Planning Policy Framework (the Framework), I accord great weight to the conservation of a designated heritage asset. I consider that the harm to the significance of the listed building and the CA identified would be less than substantial, a matter to which I attach considerable importance and weight. In this case, no public benefits, as identified in paragraph 134 of the Framework, are before me, which would outweigh that harm.

Bats

17. The Council raises concern regarding the effect of the appeal proposal on bats which are roosting in the weatherboarding; the presence of which is undisputed. It is also undisputed that the light spill from the proposed roof lantern would be likely to result in the abandonment of those roosts in the long term. In the absence of evidence to the contrary, I accept the appellant's view that those roosts are used as small day roosts for individual animals and are of low conservation value and of no more than local level ecological significance. I also accept, in the absence of substantive evidence to the contrary, that mitigation which could be controlled through a suitably worded planning condition and would provide alternative suitable habitat, would overcome any potential impact on the species' population. All in all, for these reasons, I conclude that the appeal development would generally preserve biodiversity and a protected species. For this reason, it would generally accord with LP Policy E5. That policy states that development likely to result in the loss, deterioration or harm to habitats of importance to biodiversity will not be permitted. In these circumstances, I do not have to consider any further test. However, as the appeal fails on the other substantive issues of the appeal, this matter is not determinative in this case.

Conclusion

18. Notwithstanding my last finding, for the above reasons, and taking all other matters raised into consideration, I conclude that both appeals should be dismissed.

R Barrett

INSPECTOR