

---

## Appeal Decision

Site visit made on 25 April 2017

**by Patrick Whelan BA(Hons) Dip Arch MA MSc ARB RIBA RTPI**

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

**Decision date: 25 May 2017**

---

**Appeal Ref: APP/H1705/W/17/3169222**

**The Danes, Goat Lane, Basingstoke, Hampshire RG21 7PQ**

- 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 Playfield Properties Ltd against the decision of Basingstoke & Deane Borough Council.
  - The application Ref 15/03784/FUL, dated 1 September 2015, was refused by notice dated 15 December 2016.
  - The development proposed is a roof extension to existing blocks of flats to form an additional 9 No. one and two bedroom flats.
- 

### Decision

1. The appeal is dismissed.

### Main Issues

2. The Council advises that it no longer wishes to defend the fifth reason for refusal in respect of parking spaces. I do not address this matter in the reasoning below. The main issues are therefore:
  - The effect of the proposed development on the character and appearance of the area, in particular, the setting of the Basingstoke Town Conservation Area (CA);
  - The effect of the proposed development on the living conditions of the occupiers of the flats within the existing building; and,
  - Whether the lack of a passenger lift would make the proposed development an unsustainable form of development.

### Reasons

*The character and appearance of the area, the setting of the CA*

3. My impression of the site is that it stands between two distinct areas of development, each with differing scales. To one side is the more historic and traditional pattern of development of two and three storey houses, St Mary's Church and the CA, and to the other, across the three lanes of New Road and Festival Way, the significantly taller Festival Place Shopping Centre and the taller buildings beyond it.
  4. In the context of the scale and space of its immediate surroundings, the additional floor would not overpower the mass of the existing building or unbalance the proportions of its elevations. There is a significant volume of
-

clear space around the building given over to landscaping to one side and to parking around the remainder. There is sufficient undeveloped ground forming its immediate setting to prevent the increased height of the building from appearing as overdevelopment. The landscape setting between the existing building and New Road would not be over enclosed by the additional floor, and nor, in the context of the taller development across New Road, would the proposal appear out of scale.

5. I have taken into account the finer grain of the plots in the CA and the generally more modest scale of development within it. However, I note that the houses on Chequers Road in the CA and which back onto Goat Lane are on significantly higher ground than the appeal site and a substantial distance from the appeal building. Given the separation of the existing building from the buildings within the CA as well as the visual separation provided by Goat Lane between the site and the CA, I can identify no harm from the scale of the proposal to the setting of the CA or to any views of it.
6. However, whilst I have found that there would be no harm from the scale of the proposal, I am not convinced that the materials and design of the additional storey would sit well upon the existing building. For instance, the design of the top floor of the existing eastern block has a mansard roof slope in the elevation to the south, which reads as a terminating element between the building and the sky. I acknowledge that the new floor would be set behind the ridge of this mansard. However, placing an additional storey on top of a roof would nonetheless conflict with one of the principal architectural elements in the elevation, and the hierarchical order expressed in the form of the building.
7. The new storey on the western end of the same elevation would appear to spring directly from the existing parapet. I note the interesting articulation to the other elevations of the additional storey including set-backs and openings which provide a sensitive and interesting transition between the existing building and the new storey. However, without the details of this critical junction between old and new, I am concerned that the direct bearing of new upon old at this section would appear a crude relationship.
8. I appreciate the differentiation which zinc panels would give to the additional storey from the existing building, and I understand the use of a contrasting material for the core. However, around the area of the extended core there would be four different cladding materials. This proliferation of materials would risk the additional storey appearing disjointed from the rest of the building. Moreover, the material of the raised cores would be truncated at the parapet of the existing cores rather than running down to the ground. This too, would risk the additional storey having a severed character from the building below.
9. I have considered whether a planning condition could overcome the design tensions between the existing and the proposed as identified above, however, because of the complexity of the issues involved in developing an existing building I am not satisfied their resolution can be left to a condition, or indeed, would not require further consultation.
10. I conclude on this issue that while there would be no harm from the scale of the proposed development to the character and appearance of the area, and in particular, the setting of the CA, its design would harm the appearance of the area, and, because of its proximity, the setting of the CA. This would be contrary to the expectations of policies EM10 and EM11 of the Basingstoke and

Deane Local Plan (2011 to 2029) adopted 2016 (LP), which require development to have regard to the appearance, architectural detailing and materials, and the relationship to neighbouring buildings, and to conserve or enhance the quality of the borough's heritage assets. It would be at odds with paragraph 132 of the National Planning Policy Framework (the Framework) which makes clear that great weight be given to the conservation of designated heritage assets, and to their setting. However, I would quantify the extent of this harm as being less than substantial when considered in the context of paragraphs 133 and 134 of the Framework.

*Living conditions of existing occupiers*

11. While the development of the space above the upper-most flats would stop natural light passing through their skylights, I noted on my site visit that the spaces lit were the internal bathrooms and upper floor landings, the enjoyment of which would not be harmed by the proposal. The habitable rooms are well lit by primary openings and would not be adversely affected by any loss of borrowed daylight. Any loss of ventilation through the skylights could be mitigated by a condition to secure alternative ventilation of these spaces.
12. I note that the existing flues through the roof may need to be relocated; however, an appropriate planning condition could secure the relocation of any flues affected by the additional storey. Similarly, any effect on flues or ventilation from the part-glazing of the ground floor walkway openings could be mitigated by an appropriate condition which would secure the living conditions of these occupiers.
13. Similarly, the Council acknowledges that the proposal was accompanied by a noise report showing it would accord with the Building Regulations concerning sound. An appropriate planning condition could mitigate the lack of stacking in the proposed floor layout by securing an appropriate level of sound insulation. Without any substantive evidence to the contrary, I have no reason to conclude that the proposal would cause harm to the living conditions of existing occupiers through noise.
14. The raised stair core would require alterations to the size and position of the bedroom window of the adjoining flat at third floor. However, given the size of the proposed window, its relocation would not result in a harmful loss of daylight into the bedroom. While the outlook from the bedroom would change because of the proximity of the raised core, given the relationship between the existing window and the east wing of the block, and the degree of outlook which it would retain, the proposal would not be unacceptable.
15. I conclude on this issue that there would be no conflict from the proposals with LP policy EM10 which requires development to provide a high quality of amenity for neighbouring properties having regard to issues such as access to natural light, and outlook.

*Whether an unsustainable form of development*

16. The Council is concerned that as the existing building does not have a lift and as the proposal does not provide one, the development would not be sustainable. The appellants contend that the provision of lift access has been considered but rejected because of the potential impact on the living conditions of existing occupiers.

17. The appellants have not provided any details of their considerations in this regard, and I am not convinced that a lift could not be added to the western core without an adverse effect on the living conditions of nearby occupiers. However, whilst the lack of a lift may limit the accessibility of the development, I noted on my site visit that the common stairs have relatively short flights with half-landings. Further, the appellants have confirmed that the flats would be built to Lifetime Homes Standards, which would provide a good degree of accessibility within each flat.
18. The proposal has several factors which attract weight in the context of the social dimension of sustainable development. These include the configuration of the cores of the existing building, the fact that the proposal develops an existing building rather than a new one, that the new accommodation would be built to Lifetime Homes Standards, and most significantly, that it would provide nine new dwellings.
19. Moreover, the Framework says that the three dimensions of sustainability are mutually dependent and should not be considered in isolation. The proposal would provide a direct economic benefit during the construction period and thereafter from the occupants of the dwellings. The location of the new dwellings close to services, facilities, and public transport within the town centre would also limit the environmental footprint of the future occupiers.
20. I conclude on this issue, that the conflict from the constrained access to the development with LP policy EM10 and with paragraph 32 of the Framework, which says that decisions should take account of whether safe and suitable access to the site can be achieved for all people, would be limited. It would not make the proposal an unsustainable form of the development.

### **Other Matters**

21. The views of local residents have been taken into consideration and I have already dealt with what I regard as the main planning issues. Given the distance of the additional storey from the houses and gardens in Chequers Road, there would not be a harmful loss of privacy to the rooms or gardens of those houses.
22. While the end elevation of the additional storey would not include openings, there would be an increase in the potential overlooking towards the occupiers in St. Mary's Court. However, given the oblique angle of the block and the limited number of additional openings, and given the urban character of the location where a limited degree of overlooking is not uncommon, any additional overlooking would be marginal in extent and not harmful in effect. There is no evidence that the additional height of the block with the additional storey would result in harmful overshadowing or loss of light to surrounding occupiers.
23. As regards the adequacy of the provision of off-street parking in the proposed development, at the time of my site visit, which was on a weekday afternoon, the occupancy of the off-street parking was around 60% of the spaces available. I appreciate that demand is likely to be higher at the end of the working day and at weekends. However, the amount of space available does not indicate an overload on the site. More significantly, the site is in a highly sustainable location, close to the facilities and services of the town centre and well connected to public transport, which, together with the secure cycle

parking proposed, would provide alternative modes of travel to the private car. I note that the highway authority does not object to the proposal.

### **Conclusion**

24. I have found no harm to the living conditions of existing occupiers and that the lack of a passenger lift would not make the proposal an unsustainable form of development. The provision of nine dwellings in the context of paragraph 47 of the Framework, which seeks a significant boost to housing supply, weighs substantially in favour of the proposal, and can also be considered, in the context of paragraph 134 of the Framework, as a public benefit. However, this is outweighed by the harm the development would cause to the appearance of the area and to the setting of the CA, a designated heritage asset. For the reasons given above, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

*Patrick Whelan*

INSPECTOR