
Appeal Decision

Site visit made on 16 May 2017

by R J Marshall LLB DipTP MRTPI

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

Decision date: 5 June 2017

Appeal Ref: APP/H1705/W/16/3170616

The Forge, West End, Sherborne St John, Basingstoke, Hants RG24 9LE

- 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 A Monger Ltd against the decision of Basingstoke & Deane Borough Council.
 - The application Ref 16/01238/FUL, dated 12 March 2016, was refused by notice dated 20 December 2016.
 - The development proposed is erection of a pair of 2 storey semi-detached houses.
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Decision

1. The appeal is dismissed.

Background

2. Amended plans were received prior to the Council's determination of the application. From all that I have read I take it that the plans on which the Council considered the proposal are Drawing Nos.: 1314121/1; 1314121/2/B; 1314121/4/A; 1314121/5/A; and 1314121/6/A. I shall determine the appeal on this basis.

Main Issues

3. The main issues in this appeal are: **first**, whether the proposed development would accord with local Policies on the location of new residential development; **second**; its impact on the character and appearance of the area including its effect on designated and non-designated Heritage Assets; and **third**, its effect on the living conditions of those at No. 35a West End.

Reasons

Locational Policies

4. The appeal site is within a ribbon of development along the A340 leading north from the village of Sherborne St John. It lies outside the Settlement Policy Boundary of the village as defined in the Basingstoke and Deane Borough Local Plan (LP) 2011 – 2029 (2016) although previously it had been within the Policy boundary. The site is within the Sherborne St John Conservation Area which separately covers the area in which the appeal site lies and the main central part of the village.
5. Policy SS1 of the LP supports development within settlement boundaries and says that land outside these boundaries will be considered to lie in the

countryside. Policy SS6 of the LP says that new housing outside Settlement Policy Boundaries will only be permitted where, amongst other things, it is on previously developed land or would be a small-scale residential proposal of a scale and type that meets a locally agreed need.

6. Turning to the above requirements the appeal site lies between a pair of semi-detached houses to the south and a detached dwelling to the north. To the west of the site lies a commercial yard within which are a variety of activities mostly undertaken within buildings. The appellant says that the site is part of a builder's yard and generally used for the storage of materials, the implication being that it is previously developed land. However, from what I saw it is a partially grassed over area and although there is no physical boundary between it and the commercial yard there is no substantial evidence of it having been put to commercial use. Photographs provided showing a limited amount of building material stored on the site, which confirms what I saw, is insufficient in itself to show that it should be regarded as previously developed land as defined in the Framework. There is no evidence that there was a building on the site or that the land should be regarded as part of the curtilage of the commercial yard.
7. The appellant says that the proposal would provide much-needed affordable housing. I take the implication being that it is a small-scale residential proposal of a type that meets locally agreed need. It is asserted that the Parish Council's support applications for housing and reference is also made to the Council identifying a need for rural housing and the support of some local residents to the proposal. However, I consider that far more detailed and comprehensive evidence is required for it to be concluded that there is a locally agreed need for the accommodation proposed. In any event, even if such a need existed, the proposal would need to respect and relate to the character and appearance of surrounding development to accord with Policy SS6. For reasons I expand upon on the second issue that would not be the case.
8. It is concluded that the proposed development would not accord with local Policies on the location of development. There would be conflict with Policies SS1 and SS6 of the LP.

Character and appearance and Heritage Assets

9. The appeal site lies within most attractive gently undulating countryside. However, given that the proposed development is of a modest scale and on an infill site surrounded by development on 3 sides there would be a minimal impact on the appearance of the countryside. Turning to the impact of the proposal on the Conservation Area account needs to be taken of the varied and rather mixed quality of some of the housing to the north of the site and the adjoining commercial yard. However, the proposed development would also be seen in conjunction with far more attractive houses and cottages on both sides of the A340 to the south of the site. These include the pair of attractive semi-detached Victorian style cottages directly to the south of the site, Nos 33 and 35. They are identified on the Conservation Area Map as notable buildings within that area and add to the attractiveness of this part of the Conservation Area. They may justifiably be regarded as Non-Designated Heritage Assets (NDHAs). The proposed development is of an acceptable cottage style. However, it would lie in close proximity to the cottages to the south and extend notably further forward of them. As such, and given that the appeal site is on

slightly higher land, they would appear overly intrusive and dominant in relation to the NDHAs to the detriment of their character and appearance. This harm to a pleasant attribute of the area would in turn be of detriment to the character and appearance of this part of the Conservation Area and thereby to the Conservation Area as a whole.

10. The degree of harm caused cannot be categorised as substantial in the terms of the Planning Policy Guidance (PPG) on Conserving and enhancing the historic environment as the bar to be reached for such harm is such that it may not arise in many cases. However, in this prominent location considerable weight should be attached to the failure to meet the statutory duty to preserve or enhance the character or appearance of the Conservation Area.
11. In arriving at this view I have had regard to the fact that the proposed development would screen part of the commercial yard to the rear and a new building being erected on it. However, from the information before me, and what I saw, I have no reason to believe that any advantage in so doing would outweigh the harm identified above.
12. There is a grade 2 Listed Building some way to the south of the appeal site referred to it would seem by the Council as The Forge and the appellant as Weybrook Cottage. It is sufficiently distant and well screened from the appeal site for there to be no conflict with the statutory duty of preserving such buildings and their setting. However, this does not make the proposed development acceptable on this issue given the harm found to the NDHAs and the Conservation Area.
13. It is concluded that the proposed development would fail to preserve or enhance the character or appearance of the Sherborne St John Conservation Area and would harm the NDHAs directly to the south of the site. It would be contrary to LP Policies EM10 and EM11 which require new development to have regard to its surroundings and which broadly reiterate the statutory guidance on development in Conservation Areas.

Living conditions

14. No. 35a to the north of the site faces onto the site and has numerous windows looking onto it. However, the proposed houses would be sufficiently set back from this neighbouring property for no unacceptable harm to be caused through overshadowing, loss of light and visual impact. Views from the upper floor windows of the proposed houses towards windows in No. 35a would be at a sufficiently oblique angle for no unacceptable harm to arise through loss of privacy.
15. It is concluded that the proposed development would have no adverse effect on the living conditions of those at No. 35a West End. It would not conflict with LP Policy EM10 in so far that it requires new development to respect the amenities of neighbouring properties.

The planning balance

16. I have found no harm on the last issue. However, in itself that does not make the proposal acceptable. I have found harm on the first 2 issues. Given that I have found less than substantial harm to the Conservation Area in the terms of the Framework the harm identified needs to be weighed against any public benefits. Although I have found no locally agreed need for the proposal the

provision of housing in general has the potential to serve a useful social purpose, albeit in this case with the substantial caveat that few facilities are available in Sherborne St John and those that are available are on the opposite side of a busy main road from the appeal site. Moreover, although referred to by the appellant as affordable housing the proposal is for market properties and no evidence on affordability is given. I find that any benefit arising from the provision of the new houses would be small and would be greatly outweighed by the harm found.

17. Although for the reasons given above there would be compliance with some Policies of the LP there would be conflict with others and seen in the round the proposal would be contrary to the development plan when read as a whole.

Conclusion

18. For the reasons given above it is concluded that the appeal should be dismissed.

R J Marshall

INSPECTOR