
Appeal Decision

Site visit made on 5 April 2018

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: 30 April 2018

Appeal Ref: APP/H1705/W/17/3181726

Honeysuckle, Rectory Road, Oakley RG23 7LJ

- 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 the Champion Group against the decision of Basingstoke & Deane Borough Council.
 - The application Ref 16/03829/FUL, dated 14 October 2016, was refused by notice dated 19 May 2017.
 - The development proposed is the demolition of existing single storey extension and outbuildings and construction of a two storey and single storey extension to the rear of the existing building to provide 5 residential units (net gain of 3).
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Before the planning application was determined, the number of additional flats was reduced to 2, alongside minor amendments to openings and the layout.

Main Issues

3. These are the effect of the proposed development on:
 - the character or appearance of the Church Oakley Conservation Area (CA); and,
 - the living conditions of the occupiers of Yew Tree Cottage, with particular regard to light and outlook.

Reasons

4. An important component of the significance of the CA is the pitched roofscape in clay, slate, and thatch, which in this part is distinguished by hips, part-hips and traditional detailing. The clay, tiled roof of this building enhances that significance.
 5. The principal change in terms of the form of the building would be the rear extension. The extended ground floor element would replace a collection of disjointed outbuildings, whilst retaining substantial areas of free space. The overall effect in footprint terms would be balanced in its surroundings, and not therefore one of overdevelopment.
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6. The additional mass of the extension would be concentrated into a form which extends the main roof of the building, in a proportion and scale which is sensitive to the main roof. The ridge of the extension would be lower than the main ridge, and its clipped hip would diminish the effect of its length. The distinctive articulations in the main roofscape of the building would be retained. These elements of the scheme would not harm the architectural significance of the CA.
7. Notwithstanding this, the flat roof element of the rear projection at ground floor would be an uncharacteristic and obtrusive form in the context of the pitched roofscape of the CA. I have taken into account the existing flat roof element it would replace. However, it appears to be lower and reads as a small, individual addition to the building, rather than as part of a larger extension. I note the set-back line of this part of the extension; however this would only partly mitigate the impact of the uncharacteristic form of roof. While the footprint of this ground floor projection would not harm the space around the building or its architectural character, the flat form of the roof over it would.
8. For this reason, I conclude that the proposal would be at odds with the distinctive pattern of development in the area and it would harm the appearance of the CA and its architectural character. It would be in conflict with policies EM10 and EM11 of the Basingstoke and Deane Local Plan (2011 to 2029) adopted 2016 (LP). These seek high quality design which conserves or enhances the quality, distinctiveness and character of heritage assets, which has regard to the appearance and architectural detailing of the surrounding area, and which contributes to local distinctiveness and the sense of place.
9. In the context of paragraphs 133 and 134 of the Framework, the harm I have found would be less than substantial. The proposal would provide 2 additional dwellings, meeting an identified need for smaller homes in policy 2 of the Oakley and Deane Neighbourhood Plan 2016, as well as improving the present living conditions on site. The development and its occupiers would provide short and long term contributions to the local economy including jobs, spending and contributions to services and amenities. While these are public benefits which weigh modestly in favour of the proposal, they would not outweigh the harm to the significance of the CA.
10. Furthermore, the proposed development would run against the design and conservation advice in the Framework¹, in that it would fail to make a positive contribution to local character and distinctiveness. It would also be contrary to advice in the Planning Practice Guidance² which advises that development should seek to promote character in townscape by reinforcing locally distinctive patterns of development.

The living conditions of the occupiers of Yew Tree Cottage

11. I visited the neighbouring house to the west, Yew Tree Cottage, which has a small, back garden. The openings of the bedroom and the living room in its flank wall are supplementary to the principal openings of the same rooms, looking onto the back garden. Because of the distance between the proposed extension above ground floor and the openings in Yew Tree Cottage, there

¹ National Planning Policy Framework, paras. 17, 58, & 131

² Planning Practice Guidance, para. 007, ID 26-007-20140306

would be no significant adverse loss of daylight to the garden or to these rooms. Similarly, while there would be some loss of morning sunlight because of the development, overall there would be no harm through loss of light to the enjoyment of the garden or the rooms in the house.

12. Notwithstanding this, the garden has 2 terraces for sitting out alongside the back of the house. Because of the height of the higher ridge and the depth of its projection back into the site, the outlook from the closest terrace, and the closest part of the garden, would be reduced by an unacceptable degree.
13. I have taken into account the enveloping, simple form of the roof, as well as its low eaves. These features would prevent a sense of over-enclosure, and any overbearing or intrusive effect. There would also be no harm to outlook from the roof over the ground floor element projecting back into the site. However, these sensitive elements of the proposal would not mitigate the harm from the first floor element of the rear projection. The resulting loss of outlook from the terrace and the garden would be significantly adverse.
14. For this reason, while there would be no harm from loss of light, the proposed development would harm the living conditions of the occupiers of Yew Tree Cottage, with particular regard to outlook. It would conflict with LP policy EM10 and one of the core planning principles of the Framework which seek to protect the amenity of occupants of neighbouring land and buildings.

Conclusion

15. I have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA as required by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended, and considered the policies in the Development Plan and the Framework. I have taken into account all matters raised, including that the proposal would provide additional housing and modernised commercial space. However, none of these matters outweigh the harm that I have identified to the character and appearance of the CA and to the living conditions of the occupiers of Yew Tree Cottage. For these reasons the appeal is dismissed.

Patrick Whelan

INSPECTOR