
Appeal Decision

Site visit made on 24 June 2019

by Terrence Kemmann-Lane JP DipTP FRTPI MCMI

an Inspector appointed by the Secretary of State

Decision date: 08 August 2019

Appeal Ref: APP/H1705/W/19/322252

Field End Cottage, Berrywood Lane, Bradley, Hampshire, SO24 9RY

- 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 Andrew Gibson against the decision of Basingstoke and Deane Borough Council.
 - The application Ref 18/03229/FUL dated 16 November 2018, was refused by notice dated 18 January 2019.
 - The development proposed is the erection of 1 no.5 bedroom dwelling.
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Decision

1. The appeal is dismissed.

Preliminary matters

2. The Council changed the description of the development from "a Replacement dwelling" that apparently reflected the fact that there had previously been a dwelling on the site and also an extant permission for similar development. The Council's description of the development as the erection of 1 no. 5 bedroom dwelling is more accurate in terms of the development that would be the subject of a planning permission. I therefore adopt this description in the heading above.
3. It appears that the extant permission (a material start having been made), referred to above, amounts to a 'fall-back' position. Thus it is not contested that the principle of the development has been established.

Main Issues

4. There are 2 main issues: i) the design of the building in relation to its surroundings and the established character and appearance of the Bradley Conservation Area; ii) effect of the proposed dwelling on the setting of the listed buildings known as Jewel Cottage and Wield View.

Reasons

5. Part of the appeal site and 2 nearby listed building are situated in the Bradley Conservation Area. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty upon me to have special regard to, among other things, the desirability of preserving the setting of listed buildings. Section 72 of that Act places a duty on me to pay special

attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

6. Of the development plan policies quoted, Policies EM10 and EM11 of the Basingstoke and Deane Local Plan 2011 -2029 that appear to me to be the most relevant in the consideration of the appeal. Policy EM10 states that proposals will be required to respect the local environment, contribute to the streetscene and be visually attractive. The policy also seeks high quality development across the borough, based upon a robust design-led process and a clear understanding of the local identity and context of development to create successful, inviting places where people want to live, work and enjoy themselves.
7. Policy EM11 establishes that proposals must conserve or enhance the quality of the borough's heritage assets, which includes Conservation Areas. It states that proposals will be permitted where they demonstrate an understanding of the character and setting of Conservation Area and respect historic interest and local character and ensure the use of appropriate materials, design and detailing.

The design of the building in relation to the conservation area

8. The appeal site is partly within the boundary of the conservation area, the boundary having been drawn in this vicinity to take in the protected sycamore tree on the frontage and to include important vistas over the adjoining countryside. The importance of the appeal site, in terms of establishing an appropriate approach to design, is that it marks the entrance to the conservation area from the south east and needs to have a satisfactory relationship with the listed cottages on the opposite side of the road.
9. The design of any building in this location must accord with the requirement of Policy EM10 for high quality and visually attractive development exhibiting a clear understanding of the local identity and context. The latter point is reinforced by the requirements of Policy EM11, in demonstrating an understanding of the character of the conservation area and the use of appropriate materials, design and detailing. Both these policies reflect the contents of sections 12 and 16 of the National Planning Policy Framework (the Framework) that places emphasis on good design and avoiding harm to designated assets.
10. In terms of meeting these requirements, I consider that the appeal proposal does not respond well to its position on the edge of the conservation area, the dominant character and materials used, and the scale of development in the immediate vicinity. The character of the conservation area in this part of Bradley is mainly of single storey buildings with, as in the case of Wield View and Jewel Cottage opposite, modest accommodation at first floor level. The appeal dwelling is considerably larger than appropriate here, with the projecting gable element being particularly dominant.
11. The fenestration and entrance on the front elevation is fussy with poorly related elements. Whilst the plain tiles are a suitable roofing material, the use of boarding, as shown on the plans, above a brick plinth appears to be at odds with the brickwork of the majority of buildings in the conservation area. Whilst I have concentrated on the front elevation, the other elevations are not satisfactory; in particular the almost unrelieved side elevation that would be

seen when leaving the conservation area on Berrywood Lane being unsympathetic to its surroundings and impacting on the important view shown on the Bradley Conservation Area Appraisal map. The proposed dwelling does not exhibit a robust design-led process and a clear understanding of the local identity and context, and does not meet the requirements of the development plan policies or those of the Framework.

The setting of the listed buildings

12. Wield View and Jewel Cottage are both Grade II Listed Buildings and are situated opposite the site on the southern boundary of the Conservation Area. The main elements of the listing describes them as early C19; a pair of cottages of one storey and attic, 4 windows; thatched roof, brought to low eaves over an outshot; eyebrows; red brick walling, with some blue headers; cambered ground-floor openings; casement; 2 plain doors in solid frames, one with modern brick porch, the other with a tiled canopy.
13. In terms of their setting, it would probably be better to avoid building immediately in front of them, since their appropriate setting is clearly rural. Nevertheless it has to be accepted that the fall-back position that I have mentioned of the extant planning permission upon which a material start has been made, means that a dwelling on the appeal site has been accepted. However, to place a dominant building, immediately in front of the listed buildings, that does not respect their form or character, would be ill conceived. To permit the proposed dwelling would not meet the obligation to have special regard to the desirability of preserving the setting of listed buildings.

Conclusions

14. I have found that the appeal proposal would not preserve or enhance the character or appearance of the conservation area, and nor would it preserve the setting of the listed buildings or respect their form or character. I consider this to amount to less than substantial harm to the significance of the designated heritage assets. In accordance with paragraph 196 of the Framework this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
15. In this case the public benefit is the addition of a new dwelling to the housing stock, but this is not a substantial benefit. As to the optimum viable use, a residential use is not ruled out by my decision, and I do not regard the word 'optimum' as meaning the highest value that could conceivably be achieved. The optimum use in this sense will be one that strikes an appropriate balance between the value of the development and the public interest in securing good design that respects the heritage assets. Therefore I dismiss the appeal

Terrence Kemmann-Lane

INSPECTOR