



Appeal Decision

Site visit made on 8 January 2020

by H Porter BA(Hons) MScDip IHBC

an Inspector appointed by the Secretary of State

Decision date: 23 January 2020

Appeal Ref: APP/N1730/W/19/3239462

2 Wogsbarn Cottage, The Street, Rotherwick, Hook RG27 9BL

- 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 Mark Watson against the decision of Hart District Council.
 - The application Ref 18/00795/FUL, dated 11 April 2018, was refused by notice dated 11 July 2019.
 - The development proposed is erection of a single detached dwelling and associated access.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I am aware that, subsequent to the submission of the original planning application, revised plans were submitted to the Council. For certainty, and to ensure fairness to all parties, I have determined the appeal on the basis of the original plans, which have been fully considered by the LPA and on which interested people's views were sought.
3. Though at an advanced stage, the Hart Local Plan: Strategy and Sites 2016 – 2032 has not yet been made. For the purposes of determining this appeal, the development plan consists of the Rotherwick Neighbourhood Plan (NP) and the Hart District Local Plan (Replacement) 1996 – 2006 and First Alterations to the Hart District Local Plan (Replacement) 1996 – 2006 (LP).

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area, which includes its effect on the Rotherwick Conservation Area (CA) and on the setting of the Grade II listed building known as 'Wogsbarne Cottages' (the listed building).

Reasons

Character and appearance

5. The listed building is comprised of an attractive L-shaped group of three, two-storey attached cottages of 17th century origin, prominently sited on the north side of The Street. Key attributes of the listed building's special interest and significance lie in its age and architectural composition, but its contribution to the local distinctiveness of Rotherwick and legibility of its historic origins as a

dispersed settlement in a wider rural landscape are also important. Each cottage is in separate ownership, and stands in mature gardens, to the rear of which lie open fields. Despite changes over time, the green and undeveloped spaces that remain around the listed building provides a link with its historic origins and comprise part of its setting.

6. The special interest of the CA is in part derived from the integral relationship between The Street, the vernacular buildings along it, and the wider rural and wooded landscape surroundings. Despite some variety of building ages and architectural styles, the built form along The Street generally addresses it directly, creating a strong building-line. The distribution of dwellings along The Street and the generous size of garden plots combine to underpin a sense of spaciousness. Additionally, deep grass verges, mature and green gaps between dwellings create a soft, verdant backcloth through the village and a connection to the wider rural landscape. The various green gaps between dwelling along The Street provide alleviation from the built form of the village and a link with open countryside beyond.
7. The appeal concerns a narrow finger of land that extends back from The Street behind high hedgerow boundaries and is part of the garden associated with Number 2 Wogsbarn Cottages. In spite of the relative containment that boundary vegetation provides, the appeal site is point of green punctuation that alleviates development along the frontage of The Street. Furthermore, the site's fundamentally soft, informal and verdant characteristics provide a link with the wider rural context. In this way, the appeal site contributes positively to the character and appearance of the CA as a whole.
8. The proposed development would introduce a detached two-bedroom dwelling on a linear orientation to the appeal site, perpendicular to The Street and set back from its established building line.
9. Of itself, the proposed dwelling would be of high architectural quality and constructed of sympathetic materials. Nevertheless, the proposal would introduce development across virtually the entire width of the narrow plot. Given its proximity to the site's side, the proposed dwelling would appear uncomfortably squeezed in. With little meaningful space to provide relief from built form, the proposed dwelling would dominate the site and weaken its characteristically green and spacious qualities.
10. In Rotherwick, there might be examples of development on long, narrow plots or, as at Number 3 Wogsbarn Cottages, where the primary elevation is orientated away from The Street. Even so, the proposed dwelling would stand out as anomalous within its context. Moreover, whatever structure may have historically existed forward on the appeal site, which itself may have not been part of the curtilage of the listed building, or what extensions and outbuildings may have been developed elsewhere in the village, nothing justifies the appeal scheme in terms of its scale, permanence or uncharacteristic domestic intrusion.
11. To some extent, the proposed dwelling would be experienced as part of the back-drop of buildings of the village and partly obscured by surrounding vegetation. Even if reasonably localised in its extent, the uncharacteristic effect of the proposed development would be visible from The Street and the adjacent listed cottages and their gardens. The proposed removal of the front

hedgerow and provision of gravelled parking spaces would exacerbate the urbanising impact of the proposal.

12. Even with the retention and supplementation of hedgerow planting, the site's contribution to the greening and spaciousness of the CA would still be markedly diminished. Consequently, the proposed development would not respect the local development pattern, would fail to protect an existing open space and would have an adverse impact on the spacious character of the CA. The character and appearance of the CA as a whole would therefore not be preserved.
13. Additionally, the legibility of the listed building's more rural origins and connection with its verdant, undeveloped surroundings would, albeit in a small way, be harmfully eroded. Therefore, an aspect that underlies its special interest, significance and setting would not be preserved.
14. Conflict therefore arises with the expectations of sections 66(1) and 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990. The proposals would also fail to accord with Saved Policies S01, S02, BE01 and BE02 of the NP; as well as GEN1, GEN4, CON13, CON17 AND RUR20 of the LP; the Design Principles in the Rotherwick Village Design Statement and the Rotherwick Conservation Area Character Appraisal and Management Proposals, August 2011. There would also be conflict with the historic environment policies within the National Planning Policy Framework, revised February 2019 (the Framework).
15. Given the scale of the impact of the proposals, the degree of harm to the significance of designated heritage assets would be less than substantial. Paragraph 196 of the Framework indicates that this harm should be outweighed by wider public benefits.
16. The scheme would provide one open-market dwelling in Rotherwick, contributing to the choice of homes in the District, and provide social and economic benefits, both during construction and after occupation. That said, even cumulatively the benefits of just one dwelling would be modest. An absence of harm in relation to living conditions, archaeology, parking or trees are neutral factors and not public benefits.
17. On the other hand, weighing heavily against the scheme is the material harm it would cause to the character and appearance of the area, the CA, and the significance of the Grade II listed building. There is no suggestion that the appeal scheme would be necessary to secure the optimum viable use of the designated heritage assets and, even cumulatively, the scheme's public benefits would not be sufficient to outweigh the considerable importance and weight that even less than substantial harm to a designated heritage asset carries.

Other matters

18. The appeal site is located within the 5km Hazeley Heath Site of Special Scientific Interest (SSSI), which is within the zone of influence of the Thames Basin Heaths Special Protection Area (SPA) that is subject to statutory protection under the Conservation of Habitats and Species Regulations 2017. During the course of the appeal, the appellant has submitted a completed s106 Unilateral Undertaking for a financial contribution as mitigation for the effects

of the development on the SPA. Bearing in mind my findings on the first main issue, it is not incumbent on me to consider the effect of the proposed development on nationally designated sites. If the circumstances leading to a grant of planning permission had been present, I would have sought further information to establish whether appropriate mitigation has been secured if further consideration of Habitats Regulation Assessment is required and to ensure compliance with Article 6(3) of the Habitats Directive. As I am dismissing the appeal for other reasons, I have not pursued this matter further.

Conclusion

19. I do not find there to be material considerations sufficient to outweigh the conflict with the development plan or Framework taken as a whole. Nor do the public benefits outweigh the less than substantial harm to the significance of designated heritage assets. I therefore conclude that the appeal should be dismissed.

H Porter

INSPECTOR