



Appeal Decision

Site visit made on 2 June 2020

by **L McKay MA MRTPI**

Inspector appointed by the Secretary of State

Decision date: 24th June 2020.

Appeal Ref: APP/H1705/D/19/3243049

41 Richmond Road, Basingstoke RG21 5NX

- 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 & Mrs Newson against the decision of Basingstoke & Deane Borough Council.
 - The application Ref 19/02272/HSE, dated 19 August 2019, was refused by notice dated 9 December 2019.
 - The development proposed is erection of two storey side infill and rear extension, demolition of existing double garage and erection of new single garage.
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Decision

1. The appeal is dismissed insofar as it relates to the erection of a two storey side infill and rear extension. The appeal is allowed insofar as it relates to demolition of existing double garage and erection of new single garage and planning permission is granted for demolition of existing double garage and erection of new single garage at 41 Richmond Road, Basingstoke RG21 5NX in accordance with the terms of the application, Ref 19/02272/HSE, dated 19 August 2019, and the plans submitted with it, so far as relevant to that part of the development hereby permitted and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 310 040, 310 041, 310 042, 310 050, 310 051, 310 060, 310 061, 310 062
 - 3) The external surfaces of the development hereby permitted shall be constructed of the materials shown in the Material Key on plan nos. 310 060 and 310 061.
 - 4) No site clearance, demolition or development shall commence and no equipment, machinery or materials shall be brought onto the site for the purposes of the development, until tree protection fencing has been installed in accordance with the details on the drawing no. 310 041 titled "PRO.SITE PLAN". The fencing shall thereafter be maintained and retained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within the fenced area, and the ground levels within that area shall not be altered, nor shall any excavation be made without the prior written consent of the local planning authority.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the existing dwelling and the South View Conservation Area (SWCA).

Reasons

3. The National Planning Policy Framework (the Framework) sets out that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. In respect of heritage assets, it requires that, 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.'¹ Furthermore, I have a duty under section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character and appearance of the conservation area.
4. The SWCA incorporates a predominantly residential area largely contained between Darlington Road, Burgess Road, Sherborne Road and Vyne Road. It derives considerable significance from the arrangement of Victorian and Edwardian dwellings along a uniform pattern of largely tree-lined avenues and the strong sense of hierarchy derived from the changes in scale and amount of architectural embellishment of houses, which increases from south to north. Although there are a variety of house types in the area, and despite some modern development and various alterations over the years, the area nonetheless has a strong sense of cohesion created by the regular street pattern, building materials, architectural form and details, and the survival of front boundary walls and hedges.
5. Richmond Road is identified in the South View Conservation Area Appraisal (CAA) as giving a much greater sense of hierarchy than other streets in the SWCA, with significantly larger dwellings of high architectural quality and intricate detail, set back from the road in larger plots, creating a greater sense of exclusivity. As such, this road makes a considerable contribution to the significance of the SWCA. While dwellings along Richmond Road are generally set relatively close together, those on corner plots generally have considerably more space around them, creating a more open and spacious character at junctions, and are important in defining the character and appearance of the area.
6. The appeal site is a relatively large plot prominently sited at a road junction but contains only a modest dwelling. The resulting considerable space around the dwelling gives it a sense of exclusivity and reflects the characteristic spaciousness of corner plots in the area. The existing dwelling is recognised as a notable building in the CAA and has many features typical of the area, with red brick elevations, chimneys and a hipped roof. The principal, front elevation is wide and has large windows and decorative features, however from Vyne Road the modest scale of the dwelling becomes clear from the limited depth of

¹ Paragraph 193

the dwelling, the subservient scale of the rear projection and the simple form and few openings in the side and rear elevations.

7. While the existing garage at the rear is in poor condition, its flat roof and low height, set back from the road and the boundary hedge mean that it is not seen in views of the front elevation. Its scale also allows for views of the rear of the dwelling and the space around it at first floor level to be readily appreciated. Consequently, while the garage detracts from the appearance of the site in some views, overall the appeal site makes a positive contribution to the character and appearance of the area and the SWCA.
8. The proposed extension would be significantly wider and deeper than the existing two storey projection, with minimal set back from the side walls and ridge of the front section of the existing dwelling. Consequently, it would appear disproportionately large in relation to the modest scale of the existing dwelling and would be a dominant feature in the street scene in this prominent location.
9. Although the extended dwelling would be of similar scale overall to others in the area and would have a similar hipped roof, the massing of the proposed extension would significantly reduce the gap between the two-storey part of the dwelling and the neighbour No 17, eroding the space around the dwelling when seen from Vyne Road and consequently, its sense of exclusivity. The existing garage does not significantly affect the sense of space around the dwelling due to its low height. A previous link extension referred to by the appellants is no longer in place, and in any event appears to have been a small structure. As such, the loss of the existing garage would not fully mitigate the impact of the additional scale and bulk of the proposed extension.
10. Furthermore, due to the number and size of the windows in the side and rear elevations, the proposed extension would start to compete in scale and detailing with the front elevation, reducing the contrast between them and detracting from the contribution of the principal elevation to the street scene. The extension would also obscure part of the exposed chimney which is a prominent and characteristic feature of dwellings in this area. Consequently, although the proposal would not alter the front elevation and would match the materials and detailing of the existing dwelling, it would nonetheless significantly harm its character and appearance.
11. The proposed replacement garage would be taller but narrower than the existing structure and as such would allow views through the site. Therefore, as a standalone structure, it would not close off the gap between the host property and No 17. It would be of similar form and appearance to others in the area and would significantly improve the appearance of the site compared to the existing dilapidated structure. Consequently, the proposed garage would contribute positively to the character and appearance of the dwelling and the SWCA.
12. Nevertheless, for the reasons set out above the proposed extension would detract from features of the existing dwelling and street scene that contribute to the significance of the designated heritage asset in a prominent location in the SWCA. Therefore, although the replacement garage would be an improvement over the existing structure, overall the proposal would harm the character and appearance of the SWCA. As the proposal would only affect a

small part of the SWCA however, it would result in less than substantial harm to the significance of the conservation area as a whole.

13. Accordingly, in respect of the proposed extension the proposal would significantly harm the character and appearance of the existing dwelling and harm the character and appearance of the SWCA. As such, it would conflict with Policy EM10 of the Basingstoke and Deane Local Plan 2011-2029 (LP) which requires high quality design that, amongst other things, positively contributes local distinctiveness, the sense of place and the existing street scene; and with LP Policy EM11 which requires that all development must conserve or enhance the quality of the borough's heritage assets in a manner appropriate to their significance.
14. Furthermore, it would conflict with Framework paragraph 127 which requires development to add to the overall quality of the area and be sympathetic to local character. It would also conflict with the guidance in the Design and Sustainability Supplementary Planning Document 2018 (Design SPD) that extensions need to have a successful relationship with the street scene and be sensitively related to the existing property; and the Heritage Supplementary Planning Document 2019 (Heritage SPD) which sets out that proposals should be informed by, and should respond sensitively to, those aspects of the conservation area which make a positive contribution to its character and appearance and/or to its special historic or architectural interest.
15. In respect of the proposed replacement garage however, I find no conflict with LP Policies EM10 and EM11, the Framework or with the Design or Heritage SPDs.
16. The Design and Heritage SPDs have been adopted by the Council relatively recently and are designed to support the achievement of high-quality, sustainable development and to set out key principles in relation to the conservation of heritage assets. They provide comprehensive guidance on these matters and are consistent with the provisions of the Framework, and consequently, carry significant weight.
17. LP Policy EM11 does not however include the balancing provision set out in the Framework paragraph 196, and as such, is not fully consistent with the Framework. I can therefore give it substantial, but not full weight.
18. The proposal would result in public benefits from replacement of the existing garage with one of better design and improvements to the driveway, all of which would improve the security and appearance of this part of the site. The layout of the proposed driveway and garage would either provide for three off-street parking spaces or two spaces plus turning. Either combination would result in a small public benefit given the restrictions to parking in the area and the presence of marked parking bays which restrict visibility at the access. However, as these aspects of the proposal are separate from the proposed extension I am able to issue a split decision and grant permission for the replacement garage and associated works only. These public benefits could therefore be realised without the harm that the extension would cause, and consequently they carry limited weight.
19. The proposal would generate public benefits from construction, investment into the property and improvements to the energy efficiency of the building however given the scale of the development the amount of benefit would be

small, and therefore carry minimal weight. Previous improvements to the property by the appellants are not public benefits of this proposal, as they have already occurred. The absence of harm to the living conditions of neighbouring occupiers would be of neutral consequence and is not therefore a public benefit.

20. The proposal would improve the amount of residential accommodation and provide a more convenient internal layout for the appellants, however these would be private benefits. While a larger dwelling would contribute to the local housing stock, it has not been demonstrated that the existing dwelling is not viable for use in its current configuration or that extensions are necessary for it to continue in use as a dwelling.
21. The proposal would make efficient use of land as encouraged by Framework paragraph 122, however it would not meet the requirement of paragraph 122d) that such development take into account the desirability of maintaining an area's prevailing character and setting. Irrespective of the outcome of this appeal, it would still be open to the appellants or others to apply for extensions of different design and siting, redevelopment of the site for additional housing, or for frontage parking. A grant of planning permission, or even if the proposal were built, would not preclude such other proposals coming forward in future. As such, the fact that the proposal does not incorporate other, potentially more harmful elements, is not a public benefit of the scheme.
22. By building on the site of existing structures, the proposal would retain the large garden and existing trees and hedges. However, this would simply continue the current situation of a single dwelling in a large plot and would not therefore deliver any material benefits. Improvements to the landscaping of the front garden do not appear to be dependent on this proposal as they would take place in a separate part of the site.
23. Accordingly, while the proposal would result in limited public benefits, these would not outweigh the harm to the significance of the SWCA, the conservation of which I afford great weight. Consequently, the proposal would conflict with the provisions of the Framework in respect of designated heritage assets.

Other Matters

24. The appellants have referred me to a 2017 appeal in relation to the appeal site². While the Inspector considered the same main issues as I have, they concluded that the replacement windows then proposed would respect the character and appearance of the house and would not conflict with local or national policies and guidance. This is not the case with the proposal now before me.
25. I have also been directed to a two-storey rear extension with flat roof at 22 Richmond Road. I saw at my site visit that the extension was largely screened from view by the existing dwelling such that the flat roof was not easily visible from the road. It has not therefore materially altered the character of the area, and so does not justify the harm that the appeal proposal would cause to that character.

² APP/H1705/D/17/3183602

26. While I note that the appellants sought to engage with local residents and that no objections were raised by the local residents' association or heritage society, this lack of comment this does not outweigh the harm that I have identified.

Conclusion

27. In respect of the proposed extension, I have found that it would harm the character and appearance of the existing dwelling and the SWCA and that this harm would not be outweighed by the limited public benefits of the proposal, many of which can be realised without the extension. As such, it would conflict with the development plan read as a whole, and with the Framework, and would not therefore benefit from the presumption in favour of sustainable development. I therefore conclude that there are no material considerations that would indicate that in relation to the proposed extension, the decision should be taken otherwise than in accordance with the development plan. Therefore, in this respect, the appeal is dismissed.
28. The proposed garage would however contribute positively to the character and appearance of the area and the SWCA and as such would comply with the relevant policies of the development plan and the Framework. It is clearly physically separate from the proposed extension and severable from that part of the development. Therefore, I can issue a split decision and allow this element of the appeal scheme subject to conditions.

Conditions

29. In respect of the demolition of the existing garage and erection of the proposed garage, a condition specifying the approved plans is necessary for the avoidance of doubt and in the interests of certainty. It is necessary for the garage to be constructed of the materials specified on the approved plans in the interests of the character and appearance of the area.
30. Furthermore, it is necessary to protect trees which make an important contribution to the character and appearance of the area and the SWCA from damage during construction. Given the proximity of the trees to the location of the proposed garage, it is necessary to install the tree protection fencing proposed by the appellants before any works commence as damage could otherwise occur during any stage of preparation, demolition or construction. The wording of the condition has been agreed by the appellants.

L McKay

INSPECTOR