



Appeal Decision

Site visit made on 2 June 2020

by **L McKay MA MRTPI**

Inspector appointed by the Secretary of State

Decision date: 3rd July 2020

Appeal Ref: APP/H1705/W/19/3243078 Fir Trees, Church Road, Tadley RG26 3AU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr & Mrs Davies against the decision of Basingstoke & Deane Borough Council.
 - The application Ref 19/02054/ROC, dated 26 July 2019, was refused by notice dated 30 September 2019.
 - The application sought planning permission for erection of 1 no. new dwelling to replace existing dwelling without complying with a condition attached to planning permission Ref 17/00035/ROC, dated 7 March 2017.
 - The condition in dispute is No 1 which states that: *"The development hereby permitted shall be carried out in accordance with the following approved plans unless otherwise agreed in writing with the Local Planning Authority: KAD 01 A PR Rev A, Location plan, Elevations, Section and Floor Plans KAD 03 A BP, Site Plan."*
 - The reason given for the condition is: *"For the avoidance of doubt and in the interests of proper planning."*
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Planning permission was originally granted for a replacement dwelling in 2016¹ and various design changes were subsequently approved in 2017². Details were subsequently submitted and approved for conditions on the 2017 permission, including the materials. Although the appellants suggest that render was agreed, the evidence before me is that the approved materials comprise two types of brick and plain roof tiles. I saw at my site visit that the main structure of the dwelling had been erected, the roof was nearly complete and windows had been installed, however no external finish had been applied.
3. The appellants now seek to vary the disputed condition to amend the approved plans to allow for use of feather edge or waney edge larch lapping timber cladding on parts of the external elevations of the dwelling. Although not specifically labelled on the submitted plan, the appellants have confirmed that the areas proposed to be timber clad are marked with blue horizontal lines on drawing KAD 01 A PR B and I have considered the appeal on this basis.

¹ Council Ref. 16/00420/FUL

² Council Ref. 17/00035/ROC

Main Issue

4. The main issue is the effect of varying the external materials on the character and appearance of the Tadley Church Road Conservation Area.

Reasons

5. The National Planning Policy Framework (the Framework) sets out that heritage assets are an irreplaceable resource and 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. 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 or appearance of the conservation area.
6. Tadley Church Road Conservation Area (CA) comprises mainly agricultural land along with small clusters of dwellings and other buildings, many of which are listed or are identified as notable buildings in the Conservation Area Appraisal (CAA). The CA derives considerable significance from these buildings, their groupings and their relatively undeveloped rural setting. Mature trees and hedges along the road give the area a verdant, rural appearance and further contribute to the significance of the CA.
7. The appeal site is part of a group of buildings along with two thatched cottages and Foxley Barn, all 'notable buildings' in the CAA; Pound Farmhouse and Barn Close House, both Grade II listed; and a modern bungalow, Long Meadow. Although somewhat altered, the historic buildings retain many original features and represent a range of ages and building styles that reflect the history of the area. These factors and the prominent position of this group of buildings on Church Road mean that it makes a significant positive contribution to the CA.
8. The rear elevation of the appeal dwelling is well screened by trees, however the front and side elevations are seen from the road and shared access. As such, it is clearly visible as part of this group and therefore contributes to the CA. The dwelling is of traditional design, double fronted with lower additions each side, prominent chimneys, large windows and a central porch. Consequently, it shares some features with other farmhouses in the area, including Pound Farmhouse opposite. As currently approved, it would be externally faced in brick. Although there are a variety of materials in this group, the use of all brick elevations is not uncommon for traditional farmhouses in the area, such as Pound Farmhouse.
9. Waney edge or feather edge timber cladding would have a distinctly rustic appearance and is a type of material identified in the Council's Heritage Supplementary Planning Document 2019 (SPD) as being traditionally used in farm buildings in the locality. There is however no compelling evidence before me that timber cladding would traditionally have been used on a farmhouse or any other type of dwelling in this CA. As such, it would be inappropriate for the traditional farmhouse-style design of the appeal dwelling.
10. While there is extensive timber cladding on Foxley Barn, that building has the appearance of a traditional agricultural barn, where timber would historically have commonly been used. Although there was timber cladding on the previous dwelling, that was a modern property of very different design to what has now

- replaced it. As such, the use of timber cladding on other buildings does not justify the use of materials inappropriate to the design of this dwelling.
11. The appellants have suggested as part of their appeal submissions that black straight edged timber could be used as an alternative. However, this would have a very similar appearance to Foxley Barn and, given the distinctly different designs of the two properties, would also be inappropriate and unsympathetic to the design of this dwelling.
 12. Given the size and siting of the dwelling, with the inappropriate materials proposed it would appear as a prominent and incongruous feature in the street scene. As such, compared to the approved scheme it would detract from the appearance of the group of buildings and their contribution to the CA.
 13. Accordingly, the proposed variation of condition would harm the character and appearance of this part of the CA and, given the importance of this group to the significance of the CA, would result in less than substantial harm to the significance of the CA as a whole. Therefore, the proposed variation of the disputed condition would result in conflict with Policy EM11 of the Basingstoke and Deane Local Plan 2011-2029 (LP) which requires all development to conserve or enhance the quality of the borough's heritage assets in a manner appropriate to their significance; and with the guidance in the Heritage SPD which requires materials to complement those used in buildings and features which make a positive contribution to the character and appearance of the CA.
 14. LP Policy EM11 does not however include the balancing provision set out in Framework paragraph 196, and as such, is not fully consistent with the Framework. I can therefore give it substantial, but not full weight.
 15. In this case, the dwelling has been built and suitable materials have already been agreed with the Council. As such, there is no substantive evidence that the proposed change in materials would result in any public benefits compared to the approved scheme. Consequently, there are no public benefits that would outweigh the less than substantial harm to the CA. The proposed variation of condition would therefore also conflict with the provisions of the Framework in respect of designated heritage assets.

Other Matters

16. I have had regard to the location of the appeal site opposite the Grade II listed Pound Farmhouse. There is no suggestion from either party that the appeal proposal would harm the setting of the listed building or any features of special architectural or historic interest which it possesses. From my observations on site and the evidence before me I have no reason to disagree.

Conclusion

17. The appeal is therefore dismissed.

L McKay

INSPECTOR