



Appeal Decision

Site visit made on 3 August 2020 by Ben Phillips BSc MSc

Decision by R C Kirby BA(Hons) DipTP MRTPI

An appointed by the Secretary of State

Decision date: 9 September 2020

Appeal Ref: APP/N1730/D/20/3252111

Ferney Close, Thackhams Lane, Hartley Witney, Hook RG27 8JG

- 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 Addinall against the decision of Hart District Council.
 - The application Ref 19/02811/HOU, dated 17 December 2019, was refused by notice dated 6 March 2020.
 - The development is described as a proposed Timber framed and externally clad triple garage and bedroom, extended kitchen, new replacement garden/family room, demolition of existing garage/outbuilding and replacement with a new bedroom extension. landscaping works, alterations to the existing dormers and creation of a small balcony.
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Decision

1. The appeal is allowed, and planning permission is granted for a proposed Timber framed and externally clad triple garage and bedroom, extended kitchen, new replacement garden/family room, demolition of existing garage/outbuilding and replacement with a new bedroom extension. landscaping works, alterations to the existing dormers and creation of a small balcony, at Ferney Close, Thackhams Lane, Hartley Witney, Hook RG27 8JG in accordance with the terms of the application, Ref 19/02811/HOU dated 17 December 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plan: FC-101, FC-113 A, FC-103 A, FC-109 A, FC-102.
 - 3) No development above damp proof course level shall commence until details of the external materials (including manufacturer's product links, brochures or samples as relevant) to be used in the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue in this case is the effect of the development on the character and appearance of the non-designated heritage asset, rural surroundings and the setting of the West Green Conservation Area (CA).

Reasons for Recommendation

4. The appeal property is a large detached dwelling set in a spacious plot set along Thackhams Lane. The rural surroundings are characterised by similarly large dwellings spaciouly and sporadically set back from the road, which is a narrow rural lane. The site is located within the open countryside.
5. The boundary of the West Green CA runs along the frontage of the site however the property itself is located outside the CA. The significance of the CA is largely derived from its historical self-contained hamlet nature and number of traditional high-quality buildings. Paragraph 194 of the Framework states that any harm to, or loss of, the significance of a designated heritage asset from development within its setting, should require clear and convincing justification.
6. The dwelling is a non-designated heritage asset, which the Supplementary Planning Document West Green, Hartley Witney CA Proposal Statement (2002) sets out as being derived from its history as, along with its neighbour, as the 'wartime and post war residences of Field Marshall Viscount Allenbrooke, one of Churchill's closest advisors'. Paragraph 197 of the Framework states that in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
7. The proposed extensions would result in a large increase in the footprint of the dwelling, mainly from the substantial triple garage projection on the eastern side elevation. However, this extension would be set back considerably from the front elevation and would be single storey in nature. The design would be modern and, along with the materials proposed such as timber cladding, would appear as a high-quality contrast with the traditional two storey dwelling.
8. In addition, the single storey nature of this extension would ensure that it remains subservient to the main house. Similarly, the extension on the western side, which whilst sited slightly forward of the front elevation, would replace a garage building in the same position. The extensions collectively would not prevent the original former garden cottage form and architecture of the property being appreciated and, given the scale of the plot and the neighbouring properties, would not appear excessive or disproportionate.
9. Given the above I find that the extensions would not compromise or harm the significance of the property, largely derived from its ownership history, as a locally listed non-designated heritage asset. The frontage of the dwelling is briefly appreciated from the gate area to the highway. However, whilst slightly elevated from the road, given the distance to the property and subservient scale of the extensions, they would not appear prominent or incongruous. The dwelling would retain its original character and the wider rural surroundings and sense of space would not be adversely affected.

10. I acknowledge that there is some conflict with Policy 2 of the Hartley Wintney Neighbourhood Plan 2017-2032 (2019) (HW) which encourages development to follow the existing traditional or vernacular design and use materials that complement the existing materials in the area, however the contrasting design and materials proposed would ensure that the extensions are clearly read as such. I also note that Policy NBE10 of the Hart Local Plan : Strategy and Sites 2016-2032 (2018) (SS) sets out that '*Innovative building designs will be supported provided that they are sensitive to their surroundings and help to improve the quality of the townscape or landscape.*'
11. In light of the foregoing, I conclude that the proposed extensions would respect the character and appearance of the existing property and would not harm the significance of the non-designated heritage asset. The proposal would have a neutral effect on the setting of the adjacent CA and would not detract from the wider rural character of the area. There is therefore no conflict with SS Policy NBE10, saved Policies GEN 1, GEN4, RUR 24, CON13 and CON17 of the Hart District Local Plan 1996-2006 (Saved Policies) (2020), HW Policy 5 and the Framework, which collectively seek, amongst other things, to ensure that development achieves high quality design, does not change the impact of the dwelling on the countryside and that development within the setting of a CA preserves or enhances the heritage asset.
12. The Council also reference section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, however this only applies to development within a CA.

Conditions

13. The standard conditions relating to the start date and approved plans are considered necessary in the interest of clarity. In addition, a condition requiring samples of the external materials to be submitted and approved is necessary to ensure that the development is of a high standard which respects the character and appearance of the area.

Conclusion and Recommendation

14. For the above reasons and having regard to all other matters raised, I conclude that the proposal complies with the development plan taken as a whole. There are no material considerations which indicate that the appeal should be determined other than in accordance with the development plan. I recommend that the appeal should be allowed with the suggested conditions.

B Phillips

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed with the conditions set out above.

RC Kirby

INSPECTOR