



Appeal Decision

Site Visit made on 10 November 2020

by Andrew Tucker BA (Hons) IHBC

an Inspector appointed by the Secretary of State

Decision date: 27 November 2020

Appeal Ref: APP/N1730/Y/20/3254554

113C High Street, Odiham, Hook RG29 1LA

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr Richard Collyer against the decision of Hart District Council.
 - The application Ref 19/02462/LBC, dated 29 October 2019, was refused by notice dated 20 December 2019.
 - The works proposed are replacement garage door (retrospective).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The garage door has already been installed.
3. The appellant suggests that the building is not listed. Provision 1(5) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA) defines a listed building as a building included in the list and any object or structure fixed to the building, or any object or structure within the curtilage of the building which, although not fixed to the building, forms part of the land and has done so since before 1 July 1948. Therefore, the lack of reference to the appeal building within the list description of 113 High Street does not necessarily mean that the building should not be regarded as listed. Similarly, the reference to the building as a positive building rather than a listed building on the Council's townscape appraisal map has no bearing on its statutory designation.
4. Evidence suggests that the building was in the same ownership as the neighbouring building at the time that an application was submitted in 1986¹. At that time the neighbouring building was referred to as the co-op building but can now be more accurately referred to as 115-119 High Street. This building is also grade II listed and the 1986 plans suggest that the appeal building had an ancillary relationship with this listed building at that time, with a large opening providing access from the rear yard. Despite the fact that the appeal building connects directly to the rear of 113 High Street the 1986 plans do not show any internal openings connecting the buildings. However, earlier plans² do show internal connections between the appeal building and 113 High Street at ground and first floor level.
5. Crucially, there is nothing before me to suggest that the building was not associated with one of these listed buildings on 1 July 1948. It would appear to

¹ Council ref 86/00366/LBC

² Council ref 83/00252/LB

be the case that the ownership of the building and its functional association has switched between the two buildings. Therefore, based on the evidence before me, I find it reasonable to conclude that the appeal building is listed by virtue of its physical relationship and ancillary function with either 113 High Street or 115-119 High Street. As such, I will consider the appeal on the basis that the building is grade II listed.

6. The LBCA establishes that listed building consent is required for the demolition, alteration or extension of a listed building in a manner which would affect its character. The appellant has suggested that the replacement of the garage door is not an alteration as the replacement door is so similar, and that listed building consent is therefore not required. Although details of the previous door are limited to photographs it is clear that the replacement door is substantially different to the door that previously existed by virtue of its different materials and the way it opens. Furthermore, the reveals of the opening have been altered significantly. On this basis I am satisfied that the alteration that has taken place has affected the character of the building to the extent that listed building consent is required.

Main Issue

7. The effect of the proposal upon the significance of the grade II listed building and whether the proposals preserve or enhance the character and appearance of the Odiham Conservation Area.

Reasons

8. Section 16(2) of the LBCA requires the decision maker to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Additionally, Section 72 of the LBCA requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
9. The appeal building is a long brick and tile building that is attached to the rear of 113 High Street. It has a simple traditional form with long steep roof slopes over a dentil course of bricks tucked under the eaves. Although I could see evidence to show that the building has been altered to facilitate various conversions, its simple form and a significant portion of historic fabric have been retained. These physical characteristics and the role it performed as an ancillary building to the principal commercial buildings fronting High Street give the building its historic significance.
10. The site is located within the extensive Odiham Conservation Area (CA), which takes in the historic core of the settlement and surrounding open land. It includes a broad mix of traditional buildings which are laid out in an ordered fashion across the wide High Street; and tighter urban spaces where buildings stand close together in a rather unplanned manner, such as those associated with the appeal site. The high number of historic buildings across the area, their interrelationship, and the streets and spaces that they create, as well as areas of open space, give the CA its significance.
11. As the previous door was a modern up and over door its removal has not resulted in the loss of historic fabric. The parties disagree over what the door was made of, although photographs show that it had vertical slats and sat within what appears to have been a painted timber frame. The photos also

show that it had some variation to its finish. Additionally, the previous door was divided into vertical strips, which gave it some resemblance of a traditional timber boarded door.

12. In contrast the replacement door has a bland modern finish, exacerbated by the prominent and crisp rendered reveals and its division into prominent horizontal bands. Its modern appearance and finish are wholly at odds with the traditional materials and detailing seen elsewhere on the building and causes harm to the special architectural interest of the listed building.
13. The new door is easily viewed from the yard area to the west of the building, which includes a thoroughfare connecting High Street to Church Street. This characterful modest yard is defined by a range of historic buildings, mostly ancillary to principal buildings on the main streets to the north and south, and is laid out in a rather unplanned manner. From here the new door is seen in close proximity to traditional side hung timber doors, where its modern appearance has a harmful impact on the character of the yard, and would thus not preserve the character or appearance of the CA.
14. The new door encloses one end of a covered way. This leads through to an area to the east of the building that is used for parking and self-contained gardens. Information before me suggests that it would be difficult to install a different type of door. However, there is nothing before me to explain why a door or pair of gates cannot be fitted elsewhere within the covered way where the ground is level.
15. The appellant states that he followed the advice of the Council's building control department regarding the works. However, communication arrangements between different Council departments is a matter for the Council to consider. Furthermore, an assessment of the proposal against the building regulations would be quite different to an assessment made against the requirements of the LBCA.
16. A small number of similar metal doors can be seen in the area. Some examples given by the appellant are prominent. In the cases referred to the modern stark appearance of the doors are at odds with the traditional materials and detailing of other fittings and thus have a harmful impact. On this basis, and taking into account the lack of evidence before me to suggest that any of these garages have recently received listed building consent, these other examples do not alter my findings on the merits of the proposal.
17. In terms of the National Planning Policy Framework the harm would be less than substantial. Paragraph 196 of the Framework establishes that any harm should be weighed against the public benefits of the proposal. The proposal would deliver private benefits to the users of the covered way, but there are no public benefits arising from the proposal that could outweigh the degree of harm identified.
18. In summary I find that the proposal would fail to meet the requirements of the LBCA as it would fail to preserve the architectural interest of the listed building or the wider character and appearance of the CA.

Conclusion

19. For the reasons above, the appeal should be dismissed.

Andrew Tucker

INSPECTOR