



Appeal Decision

Site visit made on 15 February 2021

by S Edwards MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 April 2021

Appeal Ref: APP/H1705/W/20/3262304

Land at Rear of Brinkletts House, 15 Winchester Road, Basingstoke RG21 8UE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant permission in principle.
 - The appeal is made by The Trustees of Lamron Estates Pension Scheme & London Clancy against the decision of Basingstoke & Deane Borough Council.
 - The application Ref 20/00520/PIP, dated 24 February 2020, was refused by notice dated 4 May 2020.
 - The development proposed is Application for Permission in Principle for redevelopment of existing car park to provide 6 residential units.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As detailed within the national Planning Practice Guidance (the PPG), the permission in principle consent route is an alternative way of obtaining planning permission for housing-led development, which separates the consideration of matters of principle for proposed development from the technical details. Planning permission does not exist unless both the permission in principle and the technical details are approved. This appeal relates to the first of these two stages.
3. The PPG states that the scope of permission in principle is limited to location, land use and amount of development¹. All other matters are considered as part of a subsequent Technical Details Consent application if permission in principle is granted. I have determined the appeal on this basis.
4. The description of the proposal as detailed on the application form has been amended in subsequent documents. I have adopted the description included within the decision notice, as it reflects the amount of development on which the Council based its decision.
5. The proposed development affects the setting of listed buildings located in a conservation area, and I have therefore had special regard to sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

¹ Paragraph: 012 Reference ID: 58-012-20180615.

Main Issue

6. The main issue is whether the appeal site would be suitable to accommodate the proposal, having regard to the location, land use and amount of development proposed.

Reasons

7. Located within the Basingstoke Town Conservation Area, the appeal site comprises a car park situated to the rear of Brinkletts House, which the Council has identified as a Building of Local Interest. This is a detached house dating from the late 19th or early 20th century, which has been subject to modern rear office additions. There are mature trees along the north-western and north-eastern boundaries of the site, which make an important and positive contribution to the visual amenity of the area.
8. The site also lies within the setting of two Grade II listed buildings known as nos 21, 21A and 21B Winchester Road (no 21), and no 23 Winchester Road. Despite some unfortunate alterations and additions, the fundamental original character of these red brick properties remains, having particular regard to the detailing of their façade. Both buildings display strongly symmetrical front elevations, with central entrances flanked by ground and first floor sash windows, which are complimented by prominent gable chimney stacks.
9. The significance of these Grade II listed buildings resides principally in the elevational detailing of the properties, but also in their historic interest, as they exemplify the expansion and development of the town, which notably took place during the 19th century. Nos 21 and 23 Winchester Road, as well as Brinkletts House, make an important contribution to the townscape and the western approach to the Basingstoke Town Conservation Area, which is primarily derived from its strong sense of historic character.
10. The setting of these designated heritage assets has somewhat been compromised by the loss of the historic rear gardens and the construction of car parking, as well as a large three-storey development known as Chailey Court on the adjacent site. That said, the boundary walls remain largely in place, and contribute to the appreciation of the historic plot sizes and pattern of development.
11. The site undoubtedly lies within an accessible location, and is appropriate for residential use. It is also of note that the appeal scheme would not be of a higher density compared with other developments in the area. However, the constraints associated with the appeal site, and the sensitive nature of its context inevitably influence residential development opportunities on this car park, to determine the amount of development which could be satisfactorily delivered.
12. Having regard to the available information, the site would not, in my view, be capable of accommodating 6 residential units in a manner which would maintain appropriate separation distances between and around buildings, preserve the settings of designated heritage assets, whilst also giving due consideration to the presence of mature trees. The amount of development proposed would require a building of a certain size, which would appear disproportionate to the relatively constrained size of the plot. It would thus

result in a cramped and congested form of development, which would be harmful in such a sensitive context.

13. The special interest of the listed buildings is best appreciated when viewed from Winchester Road, the construction of a backland residential scheme comprising 6 dwellings would therefore inevitably erode the appreciation of these designated heritage assets. As noted above, the appeal scheme would necessitate a substantial structure to accommodate the amount of development proposed, which would enclose the area situated to the rear of the listed buildings.
14. As a result, the introduction of a large built form to the rear of nos 21 and 23 Winchester Road would harmfully diminish the setting of these listed buildings, to the detriment of their significance. It is accepted that the existing arrangement does not presently enhance the settings of these designated heritage assets, which are also adversely affected by the proximity of Chailey Court, due to the large scale and massing of this development. Nevertheless, this does not provide justification for the additional harm which the proposed residential scheme would cause to the surroundings in which these heritage assets are experienced.
15. The proposed development would cause less than substantial harm to the special interest the Grade II listed buildings, to which I ascribe considerable importance and weight. As set out by paragraph 196 of the National Planning Policy Framework (the Framework), the harm should therefore be weighed against the public benefits of the proposal.
16. The appeal scheme would enable the reuse of brownfield land and make a contribution towards housing supply and choice within an accessible location. The proposal would also include a number of collateral economic benefits, both in the short and longer term, firstly during the construction phase, and then as future occupiers would make use of local services and facilities. However, the presented public benefits would not outweigh the harm which the development would cause to the special interest of the Grade II listed buildings.
17. Given the above, the site would not, in my view, be capable of accommodating the amount of development proposed, and the appeal scheme would fail to preserve the significance of nos 21 and 23 Winchester Road, as derived from their setting. As a result, the proposal would conflict with Policies EM1, EM10 and EM11 of the Basingstoke and Deane Local Plan (2011 to 2029)², sections 12 and 16 of the Framework, and sections 66(1) and 72(1) of the Act. Amongst other things, these seek to ensure that development proposals respect the local environment and conserve or enhance the quality of the area's heritage assets, in a manner appropriate to their significance.

Other considerations

18. No concerns have been raised by the Council regarding the effect of the proposed development on the character or appearance of the Conservation Area, and there are no reasons for me to take an alternative view. I confirm that the proposal would preserve the special interest of the Basingstoke Town Conservation Area as a whole.

² Adopted May 2016.

19. The main parties agree that the Council is currently unable to demonstrate a five-year supply of deliverable housing sites, although I have not been presented with any substantive evidence regarding the extent of the shortfall. Nonetheless, in such circumstances, paragraph 11 d) of the Framework, as directed by Footnote 7, advises that the policies which are most important for determining the application are considered out-of-date, and planning permission should be granted.
20. This presumption set out by paragraph 11d) does not however apply where the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed. As detailed in Footnote 6 to the Framework, such areas or assets of particular importance include designated heritage assets. The harm which would be caused to the significance of the listed buildings, as derived from their setting, provides a clear reason for refusing the development proposed. Therefore, the tilted balance set out in paragraph 11 of the Framework is not engaged in this instance.

Conclusion

21. There are no material considerations, which indicate that the appeal should be determined other than in accordance with the development plan. For the foregoing reasons, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

S Edwards

INSPECTOR