



Appeal Decision

Site Visit made on 11 May 2021

by Rachael Pipkin BA (Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st June 2021

Appeal Ref: APP/N1730/W/21/3267772

Land at Colt Hill House, Colt Hill, Odiham, Hook RG29 1AL

- 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 Neil Mitchell against the decision of Hart District Council.
 - The application Ref 20/02096/FUL, dated 7 September 2020, was refused by notice dated 17 November 2020.
 - The development proposed is erection of a detached two-storey three-bedroom dwelling and ancillary outbuilding.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposed development on the character and appearance of the area;
 - the effect of the proposed development on heritage assets; and
 - whether or not the proposed accommodation would provide satisfactory living conditions for future occupiers, with regard to outlook, light and the provision of external amenity space.

Reasons

Character and appearance

3. The appeal site forms part of the garden to Colt Hill House. It is a relatively narrow rectangular plot with a long frontage to Colt Hill. The surrounding area is residential in character with a mix of housing types, sizes and architectural styles. Most residential plots are aligned in a conventional manner to the street with a narrower street frontage and elongated return section, with some exceptions including Colt Hill House itself with its long street frontage.
4. The wider area is not uniform in character and appearance with properties of different scales and within varied plot sizes. The majority of properties are set back from the road behind front gardens of varying depths, with the exception of The Cottage which has a modest single-storey front extension. The building line is distinctive in views along Colt Hill and the extension to The Cottage being single-storey does not significantly disrupt this.

5. The appeal site, due to its long frontage to the road and relatively narrow depth, would be out of character with the more conventional arrangement of plots and pattern of development in the area. Whilst plot sizes and properties within the area do vary considerably, larger properties are characteristically set back from the street behind front gardens and driveways, with main gardens to the rear. The appeal proposal would not follow this pattern of development. This would erode the distinctive character along Colt Hill.
6. The proposed house would be positioned centrally in the plot. Due to the narrow and elongated shape of the plot, a short gap would separate the front and rear elevations of the proposed dwelling from the boundaries. The main garden, which would be to the side of the proposed house and adjacent to the street, would be relatively small. The front garden and door would be positioned on the north facing elevation and would not address the street as other properties along Colt Hill do. This would emphasise the constrained depth of the site. The limited space around the property, its proximity to the boundary and the unconventional arrangement of the space would make the proposed house appear unduly large and cramped within its plot.
7. The proposal would therefore be out of character with the pattern of development locally. This would harm the character and appearance of the street scene and the area.
8. The Hart Urban Characterisation and Density Study 2010 identifies the area around Colt Hill as having a high townscape value. There are elements of the proposal, including the two-storey height of the building and some of the proposed materials, that would harmonise with surrounding development. However, the bulk of the building and its position in relation to the road, sitting forward of Colt Hill House and the established building line, would adversely affect the townscape.
9. My attention has been drawn to The Old Cricketers Inn, a converted public house at the far end of Colt Hill and adjacent to the canal, which both abuts the pavement and has a longer frontage to the road than its depth, similar to the appeal proposal. However, this building is some distance from the main strip of linear development along Colt Hill and more closely related to canalside development. It does not therefore form part of the characteristic pattern of development along Colt Hill. As such it is not directly comparable to the appeal proposal.
10. I have also been referred to Vallis House. The front elevation of this property aligns with the rear elevation of The Cottage. Whilst Vallis House is not aligned with the building line along Colt Hill, it is set much further back from the road and does not interrupt the pattern of the development when viewed from Colt Hill. It is not therefore comparable to the appeal scheme which would be very prominent.
11. I conclude that the proposed development would significantly harm the character and appearance of the area. It would therefore conflict with Policy NBE9 of the Hart Local Plan (Strategy and Sites) 2032, (2020) (HLPSS) and Saved Policy GEN1 of the Hart Local Plan (Replacement) 1996-2006 (2020) (HLPR). These policies together require proposals to positively contribute to the appearance of the area, to be in keeping with local character and to promote and reflect the distinctive qualities of its surroundings.

Heritage assets

12. The appeal site is located within the Basingstoke Canal Conservation Area (CA). Nearby there are a number of grade II listed buildings, the nearest being The Water Witch Public House (PH). Colt Hill House itself is a non-designated heritage asset.
13. The CA extends along Colt Hill towards London Road to the south. The Basingstoke Canal Conservation Area Character Appraisal and Management Proposals 2009 describes Colt Hill as an area of historic townscape which forms an area of continuous historic and architectural interest running down to the canal from London Road and marking the historic course of the road from Odiham to London.
14. These historic buildings form a linear pattern of development, most of which are set back from the road behind front gardens. This set back affords views down Colt Hill of the historic townscape, towards the canal and the Water Witch PH which can be seen beyond the appeal site. The pattern of development, the views along Colt Hill and the architecture of the buildings all contribute to the significance of the CA.
15. The proposed dwelling, due to its proximity to the road, would interrupt the characteristic and historic pattern of development along the western side of Colt Hill. The large size of the proposed house, set forward of Colt Hill House, would erode views of the historic townscape and nearby listed building. This would significantly harm the character and the appearance of the CA.
16. The listed Water Witch PH is of seventeenth century origin, described as a timber framed structure. It would have served travellers along Colt Hill, as an historic route out of Odiham. Colt Hill and the historic buildings that developed along this route therefore form an important part of the building's setting. The PH is adjacent to the appeal site but separated from it by an area of surface car parking. It is visible in views from Colt Hill above the enclosing fence around the appeal site.
17. The proposed house would block some of these views which would erode the link between the PH and the historic route although new views of the PH may be regained through the removal of vegetation on the northern boundary of the site. However, the large size of the proposed development, its prominence and the use of modern materials including aluminium windows would not enhance its setting. Even if materials were to be controlled by a condition requiring the use of more traditional materials that would better harmonise with the locality, this would not overcome the harm to the building's setting that I have identified.
18. I have attached considerable importance and weight to the desirability of avoiding any such harmful effect on the listed building in accordance with Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) which requires that special regard must be given to the desirability of preserving a listed building or its setting. I have also paid special attention to the desirability of preserving or enhancing the character or appearance of the CA, as required by Section 72(1) of the Act.
19. Paragraph 197 of the Framework says that the effect of an application on the significance of a non-designated heritage asset should be taken into account in

determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required to have regard to the scale of any harm or loss and the significance of the heritage asset.

20. Colt Hill House is a large and attractive property within a substantial plot. It marks the end of the dense ribbon of development along the west side of Colt Hill. This makes it both a prominent and distinctive building within the area. Despite being set at a lower level, the large size and position of the proposed house would compete with the host property and erode the space around it. This would harm the non-designated heritage asset and its positive contribution to both the CA and the setting of the listed building.
21. The unsympathetic layout of the development, its large size and position in relation to a listed building and use of unsympathetic materials would fail to preserve the character or appearance of the CA and the setting of the listed building. I attach considerable importance and weight to this harm. The harm would be less than substantial and therefore in accordance with the requirement of paragraph 196 of the Framework, this harm should be weighed against the public benefits of the proposal.
22. The replacement of the existing front boundary fence with a continuation of the boundary brick wall would enhance the appearance of the area. The removal of some of the vegetation at the northern end of the site may open up other views of the listed building from the road. These would be minor enhancements. In addition, the proposal would enable the appellants to downsize into a self-build property, thereby releasing their own home to the market. A limited public benefit would arise from the construction of an additional house. However, these would be limited benefits which would not outweigh the harm to both the setting of the listed building and the CA that I have identified.
23. I conclude that the proposed development would adversely affect a number of heritage assets. It would therefore conflict with Policy NBE9 of the HLPSS and Saved Policy GEN1 of the HLPSS which together require development to protect or enhance surrounding heritage assets, including their settings. It would also not accord with Policy 8 of the Odiham and North Warnborough Neighbourhood Plan 2017 which requires development which affects the CA to reinforce the locally distinctive character of the area and to have regard to the historic townscape of Colt Hill. It would also not accord with the Framework which requires great weight to be given to the conservation of heritage assets.

Living conditions

24. Due to the narrowness of the appeal site, both the east and west elevations would be positioned a short distance from the site boundaries which would be formed of high brick walls. The ground floor windows in these elevations would therefore have very limited outlook due to their proximity to the boundary walls. For the same reason, these windows would also be unlikely to receive adequate daylight.
25. The windows serve an open plan kitchen/diner and living room area as well as a study and utility. The study and utility are both served by additional windows in the north facing elevation and would therefore benefit from an additional source of light and outlook.

26. The open plan living area is also served by windows in the south facing elevation and a large window to a staircase attached to the living area which would extend above the boundary wall. These windows would provide additional light to this space and would in combination be likely to allow adequate light to penetrate this open plan living area. Nevertheless, a large part of this living area, due to its distance from the south facing windows would have very limited outlook. This would provide unsatisfactory living conditions for future occupants.
27. The proposed private garden space is indicated to be around 88 square metres and would be relatively small in comparison to the property it would serve. Due to its limited size, it would not provide a spacious area for sitting out, performing a range of outdoor household functions or pursuing domestic leisure activities. Its small size would make it feel cramped. This would be exacerbated by its enclosure by high boundary walls which would appear overbearing in this relatively small space.
28. A boundary treatment would be required between Colt Hill House and the proposed garden to prevent overlooking from this property. Due to the sloping nature of the site, in order to be effective, it would need to be a tall structure. This would add to the sense of enclosure within this space. In addition, as it would be along the southern boundary of the garden, it would lead to overshadowing. The proposed garden space would therefore not be satisfactory for the number of future occupants that could occupy the proposed house.
29. The front garden area would be private outdoor space as it would be enclosed. However, this area is used for car parking and to accommodate a workshop. It would not therefore fulfil the function of outdoor garden space as described above.
30. I conclude that the proposed development would not provide satisfactory living conditions for future occupants, with regard to outlook and the provision of external amenity space. It would therefore conflict with Policy NBE9 of the HLPSS which requires a high quality design. It would also not accord with the Framework which seeks development that promotes health and well-being, with a high standard of amenity for future users. Policy H6 of the HLPSS relates to internal space standards for new homes and I have found no conflict.

Other Matter

31. The proposed new dwelling would be a self-build home for the appellants, enabling them to downsize from their current home, thereby making it available to others. Whilst the delivery of custom and self-build homes is supported, it does not outweigh the significant harms arising from the proposal that I have identified.

Conclusion

32. For the reasons set out above, I conclude the appeal should be dismissed.

Rachael Pipkin

INSPECTOR