



Appeal Decisions

Site visit made on 25 August 2021

by Benjamin Webb BA(Hons) MA MA MSc PGDip(UD) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 21 September 2021

Appeal A: APP/N1730/W/20/3265204

Kings Cottage, Buryfields, Odiham, Hook RG29 1NE

- 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 Wilders against the decision of Hart District Council.
 - The application Ref 20/01966/HOU, dated 20 August 2020, was refused by notice dated 6 November 2020.
 - The development proposed is described as a single storey rear garden room.
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Appeal B: APP/N1730/Y/20/3265212

Kings Cottage, Buryfields, Odiham, Hook RG29 1NE

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) against a refusal to grant listed building consent.
 - The appeal is made by Mr Wilders against the decision of Hart District Council.
 - The application Ref 20/01967/LBC, dated 20 August 2020, was refused by notice dated 6 November 2020.
 - The works proposed are described as a single storey rear garden room.
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Decisions

Appeal A

1. The appeal is allowed and planning permission is granted for a single storey rear garden room, at Kings Cottage, Buryfields, Odiham, Hook RG29 1NE, in accordance with the terms of the application, Ref 20/01966/HOU, dated 20 August 2020, subject to the following condition:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plan: P1 Rev. C.

Appeal B

2. The appeal is allowed and listed building consent is granted for a single storey rear garden room, at Kings Cottage, Buryfields, Odiham, Hook RG29 1NE, in accordance with the terms of the application, Ref 20/01967/LBC, dated 20 August 2020, and the plan submitted with it, subject to the following condition:
 - 1) The works hereby authorised shall not commence above slab level until a full specification of the materials, products and finishes to be used in the external construction of the garden room hereby authorised have been submitted to and approved in writing by the local planning authority. The specification shall include details of brick bonding, and elevations at scale 1:10 and sections at scale 1:5 of the cornice, windows and doors. The

works shall then be carried out in accordance with the approved specification.

Procedural Matters

3. As set out above, there are 2 appeals on this site. Each relates to the same scheme but they address separate applications for planning permission in the case of Appeal A, and listed building consent in the case of Appeal B. I have considered each on its individual merits, however, to avoid duplication I have dealt with the Appeals together, except where otherwise indicated.
4. The Council states that the application seeks to regularise works already undertaken, and which were not in compliance with a 2016 approval for construction of a conservatory. In this regard, though no above ground fabric was apparent at the time of my visit, construction below slab level is said to have occurred. I have based my assessment on the plans submitted.

Main Issue

5. The main issue is the effect that the scheme would have on designated heritage assets, namely, whether it would preserve a Grade II listed building, its setting, or any of the features of special architectural or historic interest that it possesses, and whether it would preserve or enhance the character or appearance of Odiham Conservation Area (the Conservation Area).

Reasons

6. Kings Cottage is a Grade II listed building. Whilst the Act sets out the desirability of preserving the special interest of listed buildings, the National Planning Policy Framework (the Framework) makes clear that great weight should be given to the conservation of designated heritage assets.
7. Insofar as it is relevant to these appeals, the special interest and significance of the listed building resides in the C18th origin and attractive design and detailing of the main street fronting range, which was elongated to the side during the C19th.
8. The majority, if not the whole of the rear face of the building post-dates 1930, having been the subject of general extension. As originally constructed, extensions added to the rear were flat roofed. More recent works have involved partial replacement and remodelling, including provision of rear facing gables, and multi-pane sash windows, together with removal of a large 5-sided modern conservatory. The latter had been added as recently as 2001. This has helped to increase the extent to which the rear elevation integrates with the with the front. It remains the case however that the rear elevation makes a far more limited contribution to the special interest and significance of the listed building as a whole.
9. The proposed garden room would be attached to the rear face of the building. It would not therefore have any direct physical or visual effect on the frontage, or therefore the part of the listed building within which special interest and significance principally resides.
10. The garden room would be modestly scaled, its eaves generally aligning with the top edge of openings at ground floor level. The wall finishes and would

match those of the existing rear elevation. In these regards the structure would integrate well.

11. The garden room would be flat roofed and feature clear glazed aluminium bi-fold doors. In this regard other substantial areas of flat roofing remain on the existing building, providing points of reference, but aluminium does not have an established presence. The Council nonetheless appears open to use of contemporary design within this context, and has raised no specific objection. Though its use, together with clear glazed panels, would somewhat undermine previous efforts to make the rear elevation appear less modern, the detailing would be restrained and distinctly read in relation to the garden room. As such it would not be perceived as harmful. Careful control of finishes would be important, and can be secured by condition.
12. In assessing the scheme, the Council raised objection to the roof overhang and spotlights. However, these details appear only on a superseded plan. The latter additionally shows a garden room whose height is 200mm greater than that shown on the revised plan subject of this appeal. I have found above that the garden room would be appropriately scaled, and in this regard the modest cornice detail with negligible overhang would complement its form.
13. The Council additionally raised objection in relation to visual balance. However, the rear elevation of the listed building is neither symmetrical nor balanced in terms of its detail or form. In this regard, the south end of the rear elevation currently features a projecting 2-storey wing, whereas the north end does not. The garden room would be attached to the latter. Though its projection would nonetheless be greater than that of the 2-storey wing, its overall scale would be far more modest. The above being so its addition would not have any adverse effect on the visual balance of the rear elevation.
14. Notwithstanding its concerns in relation to balance, the Council has further expressed its preference for construction of the conservatory approved in 2016. This would likewise project from the rear elevation, albeit its footprint would be smaller, and its form narrower. It would however be less well aligned with the gable feature on the roof above, and it would utilise somewhat crude pastiche design. The design of the proposed garden room would by contrast far simpler and more understated. As such the proposed garden room compares favourably to the conservatories approved in 2016 and 2001. For this and the reasons outlined above, the scheme would both preserve the special interest of the listed building and conserve its significance.
15. The site is also located within the Conservation Area. Insofar as it is relevant to the appeals, the special interest and significance of the Conservation Area resides in the historic layout of the town, and the collection and interrelationship of historic buildings and spaces that it contains, both public and private. Given the age of the appeal property and the position of the plot within the historic layout of the settlement, each makes a positive contribution to the significance of the Conservation Area.
16. Unless the garden gate was left open, the garden room would not be generally visible from within the public realm. It could however be viewed from other properties. Given my findings above, the garden room would not appear intrusive in these views. As the garden room would represent an acceptable addition, it would not otherwise undermine the positive contribution that the listed building makes to the character, appearance and significance of the

Conservation Area. The effect of the development thus being neutral, the character and appearance of the Conservation Area would be preserved.

17. For the reasons set out above I conclude that the scheme would have an acceptable effect on designated heritage assets. In relation to Appeal A and insofar as it is relevant to Appeal B, the scheme would therefore comply with Policies NBE8 and NBE9 of the Hart Local Plan (Strategy and Sites) 2032, which seek to secure development that conserves and enhances heritage assets, including through high quality design; saved Policy GEN1 of the Hart Local Plan (Replacement) 1996-2006, which amongst other things seeks to secure the same; Policy 5 of the Odiham and North Warnborough Neighbourhood Plan 2014 – 2032 (NP) which seeks to secure sensitive design; and Policy 6 of the NP which supports statutory and local objectives in relation to the Conservation Area. Both Appeal A and Appeal B would otherwise conform with the requirements of the Act, and heritage policy set out within the Framework.

Other Matters

18. The height of the garden room would be less than that of the immediately adjacent boundary fence. As such, and notwithstanding the fact that the top portion of this fence features a dense trellis, the garden room would not give rise to any unacceptable loss of outlook or light to the neighbouring property.

Conditions

19. I have not imposed standard conditions setting out the timescale for the commencement of development/works. This is because, as outlined above, the Council indicates that works below slab level have already been undertaken. For sake of certainty, I have however imposed a condition on Appeal A requiring compliance with the approved plan. No authority exists to impose a plans condition on a listed building consent. I have however made reference to the plan within my decision, which, for the avoidance of doubt, is the same as that listed in relation to Appeal A.
20. In relation to Appeal B I have imposed a second condition along lines proposed by the Council, which requires a detailed specification of the external construction of the garden room. I am satisfied that the plans otherwise contain sufficient details to enable the proper use of such a condition. The condition is necessary in order to ensure that the materials and products and finer details are appropriate in relation to the listed building.

Conclusion

21. For the reasons set out above I conclude that Appeal A and Appeal B should be allowed.

Benjamin Webb

INSPECTOR