



Appeal Decision

Site visit made on 11 January 2022

by K Savage BA(Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd February 2022

Appeal Ref: APP/H1705/W/21/3276287

21 Cromwell Road, Basingstoke RG21 5NR

- 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 D Wrey against the decision of Basingstoke and Deane Borough Council.
 - The application Ref 20/02883/FUL, dated 15 October 2020, was refused by notice dated 30 April 2021.
 - The development proposed is erection of an outbuilding following demolition of existing garage.
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Decision

1. The appeal is allowed and planning permission is granted for erection of an outbuilding following demolition of existing garage, at 21 Cromwell Road, Basingstoke RG21 5NR, in accordance with the terms of the application, Ref 20/02883/FUL, dated 15 October 2020, subject to the conditions set out in the attached schedule.

Main Issue

2. The main issue is the effect of the proposal on the heritage significance of the South View Conservation Area (the SVCA).

Reasons

3. The appeal relates to a semi-detached, red brick building on the northern side of Cromwell Road divided into flats. A shared rear access exists between the building and No 19, with the rear gardens also forming a single space mainly laid to gravel and given over to car parking, except for two small patio areas to the rear which are separated by an existing prefabricated garage. This garage and the patio to No 21 would be removed under the proposal and replaced by the proposed outbuilding in the rear corner of the site.
4. The site lies within the SVCA, which is made up primarily of two storey terraced, semi-detached and detached properties from the Victorian and Edwardian periods in a cohesive street pattern. The villas on Cromwell Road, including the appeal site, date from around the turn of the twentieth century and are categorised as 'notable buildings' within the SVCA. The buildings within the street differ in their detailed design, but there is a generally consistent and impressive scale and extensive use of red brick which contribute positively to the character and appearance of the SVCA. The significance of the conservation area stems from this surviving historic townscape.
5. The proposal would be located to the rear of the site. The existing flat roofed, prefabricated garage is a somewhat anomalous structure, composed in lesser

quality materials to surrounding development and standing in an awkward position away from the boundaries of the site where it is clearly visible from the street through the shared access. In contrast, the proposed outbuilding would feature a pitched roof and would be finished in timber cladding. The proposed shape and materials would be consistent with those expected of garden buildings and it would appear more appropriate to its rear garden location.

6. The proposal would be shorter but wider than the existing garage, with a slightly larger footprint overall. The pitched roof rising to 4m would add to its massing, but it would have a modest eaves height of 2.6m and its scale and appearance would still be that of a large garden shed or small garage that would be subservient in size and function to the parent building. Moreover, it would be set tight to the rear corner of the site, as far from the main building as possible, which would moderate its perceived scale in views out over the rear gardens from windows of adjacent properties. The outbuilding would also not be visible from the street on Cromwell Road, which would represent an improvement to the existing view of the prefabricated garage. Overall, it would form a subsidiary garden structure of which there are other examples to neighbouring properties, and it would not have an adverse effect on the overall pattern of development and historic urban grain that characterises the SVCA.
7. For these reasons, I conclude that the proposal would preserve the character and appearance of the SVCA, and its heritage significance. Thus, there would be no conflict with Policies EM10 and EM11 of the Basingstoke and Deane Local Plan 2011-2029 (May 2016), which together seek high quality developments that conserve or enhance the quality of the borough's heritage assets in a manner appropriate to their significance.

Other Matters

8. I note concerns regarding a potential overbearing effect on the neighbouring property at No 23. The outbuilding would be adjacent to the rear corner of the neighbouring garden; however, much of the massing would be screened by the boundary fence, whilst the modest eaves height and pitched roof that would angle away from the site boundary would help to reduce the perception of scale when viewed from the neighbouring garden. The outbuilding would also be set to the rear of the garden, away from the rear windows and patio area of No 23, where it would not form an excessively dominant or intrusive feature that would harm neighbours' outlook over or out from their rear garden.
9. Similarly, with respect to No 19, the outbuilding would be set further away from the neighbouring property than the existing garage. The patio area to the rear forms part of a communal and overlooked space also used for parking, and thus is not subject to high levels of privacy. The proposed outbuilding would not materially change this situation.
10. Further concern is raised at the possibility that the outbuilding could be used as living accommodation. This appears to stem from an earlier refused application for a larger structure. I have no firm evidence before me to suggest an intention to form a dwelling through this scheme, the indication being that the outbuilding is intended for use by the occupant of the top floor flat for storage and maintenance of bicycles. However, given the division of the main building into flats, and the proximity of No 23 over the fence and No 19 across an open rear courtyard, use of the outbuilding for additional living accommodation ancillary to the residential use of the flat, or as a separate dwelling, would pose

a risk to the living conditions of occupiers of adjoining residential properties and the character of the SVCA. As a result, a condition would be necessary to restrict the use of the building to purposes incidental to the enjoyment of the flat in question, and to restrict use as a separate residential unit.

11. I have had regard to other concerns raised. In respect of the loss of a tree, I understand this work was subject to an application to the Council and has already been undertaken. The Council has not opposed the loss of the small patio area to the rear which I saw it to be an overlooked area squeezed between the existing garage and parked cars. From what I have seen and read, I have little evidence to suggest that the loss of this area would cause demonstrable harm to occupants' living conditions.
12. The Planning Committee raised concern that parking space to the rear of the site would be lost, whilst others are critical of its use for parking generally. The Council has not pursued the loss of parking at appeal. I saw that further parking is available to the front of the building and on street, and I have little evidence to suggest there would be significant change to the parking situation that would pose a risk to highway safety or residents' living conditions.
13. Having regard to these and other concerns raised by interested parties, I have not identified other matters of such significance as to result in further benefits or harms to be factored into my overall considerations.

Conditions

14. To provide certainty, a condition is required specifying the relevant drawings. The Council seeks details of external facing materials and windows/doors by condition. I find such conditions are necessary to preserve the character and appearance of the SVCA, and the condition relating to external materials must be pre-commencement to ensure the approved details are implemented from the outset of the development. However, the requirements to submit detailed sectional drawings of proposed windows/doors and to extensively detail the minutiae of their construction are unnecessary in the context of an outbuilding, and I have modified the condition accordingly.
15. As set out above, a condition is necessary to prevent the use of the outbuilding for living purposes, to protect neighbours' living conditions. Finally, it is necessary to ensure the existing garage is removed from the site to prevent a harmful agglomeration of outbuildings on site. However, given the limited scale of the proposed building and likely length of construction, I consider it sufficient that the existing garage is demolished prior to the proposed building being brought into use, rather than the more onerous requirement suggested by the Council that demolition take place before construction of the new building.

Conclusion

16. For the reasons set out, I conclude that the proposal would accord with the development plan, taken as a whole, and material considerations in this case do not indicate that permission should nevertheless be withheld. The appeal should therefore be allowed.

K. Savage

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: P01 Rev E; P02 Rev N; P03 Rev N.
- 3) No development hereby permitted shall commence on site until details of materials and finishes have been submitted to and approved by the Local Planning Authority in writing. The submitted details should include samples, including on-site sample panels as applicable. The works shall then proceed in strict accordance with the approved submission. These requirements include provision of information relating to:
 - roofing materials, including profile and colour;
 - timber boarding, including size, colour and finish.
- 4) No rooflights, windows or external doors shall be installed within the development hereby permitted until details of same have first been submitted to and approved in writing by the Local Planning Authority. Details shall include annotated elevations, sections and plans which are referenced to the approved plans. These details shall show the materials and finishes, framing pattern and methods of opening. The works shall be carried out and thereafter maintained in accordance with the details so approved.
- 5) The outbuilding hereby permitted shall be occupied solely for purposes incidental to the occupation and enjoyment of the top floor flat (known as Flat 2) of 21 Cromwell Road, Basingstoke RG21 5NR and shall not be sold off, sub-let or used at any time as a separate unit of accommodation or as ancillary living accommodation associated with the top floor flat.
- 6) The outbuilding hereby permitted shall not be brought into use until the existing garage has been demolished and all resultant materials permanently removed from the site.