



Appeal Decision

Site visit made on 8 February 2022

by J Ayres BA Hons, Solicitor

an Inspector appointed by the Secretary of State

Decision date: 01 MARCH 2022

Appeal Ref: APP/H1705/W/21/3276321

Church Lane House, Church Lane, Old Basing RG24 7DJ

- 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 J Runcie against the decision of Basingstoke & Deane Borough Council.
 - The application Ref :20/02890/FUL, dated 15 October 2020, was refused by notice dated 22 March 2021.
 - The development proposed is erection of a new dwelling and site works following demolition of existing garage.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the setting of heritage assets within the Old Basing Conservation Area (the Conservation Area), having particular regard to the setting of Church Lane House; and whether the proposal would preserve or enhance the character of the Conservation Area.

Reasons

3. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) prescribes a duty upon a decision maker to give 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(1) of the Act seeks that in relation to Conservation Areas special attention is paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
4. Church Lane House is part of a small cluster of listed buildings within the Conservation Area. Due to the location of the buildings, there is a strong visual relationship between Church Lane House, St Marys Church, a Grade II listed building, and the Old Barn, which is also a Grade II listed building. This reinforces the historical relationship between buildings that has developed through-out the Conservation Area. I will return to this relationship later in my decision.
5. Church Lane House is a former workhouse, it is an imposing building with two storeys and an attic, dating from 1836. It is set within large grounds with a red brick wall along its boundary which reinforces a sense of protection from the

wider world, especially when considering Church Lane House from the existing car port. The grounds surrounding Church Lane House are generous, with open lawn and some mature trees, this openness enhances the prominence of the listed building. At present the land between the listed building and the existing garage is laid out as a driveway and garden area, this allows views across the site from the area to the side and partially behind the garage through to the listed building and at points to St Marys Church beyond, which strengthens the relationship of Church Lane House with the nearby listed buildings and Conservation Area.

6. The proposal would introduce a significant level of built form into the garden, with the building itself being set within the currently grassed area to the rear of the existing garage, which would be demolished. The building would stretch some thirteen metres across the site, and would be some fourteen metres deep, in an 'L' shape design. When considered alongside the existing trees, this would create a formidable barrier across the garden and would introduce a significant level of built form. The width of the dwelling would be similar to that of Church Lane House, and as such whilst the new dwelling would be single storey with a pitched roof, its footprint would in fact be only marginally smaller than that of the listed building. As a result, when considering the listed building, the scale of the proposed dwelling would compete with the prominence of the listed building in this residential setting.
7. Hardstanding would be set within the grass area adjacent to the existing informal parking area to create a formal parking area for five vehicles, with an additional space immediately adjacent to the proposed dwelling. The plans identify that the amenity area for the main house would be the retention of the garden area to the front of the house. However, at present the amenity clearly encompasses the garden as a whole, with a patio area to the rear of the dwelling, forming a functional relationship with the garage and grass area beyond. The erosion of garden land to create parking would interrupt the natural flow of the garden of Church Lane House.
8. Collectively the proposal would significantly erode the openness of the site, which is a fundamental element in creating the setting of the listed building and preserving its prominence. As such, I find that the proposal would be harmful to the setting of the listed building.
9. The first period of development of the Conservation Area was focused around St Mary's Church, which is a substantial building located on raised ground at the heart of the Conservation Area, dominating the village. The village area of the Conservation Area comprises a mix of building types, however the significance of the Conservation Area is found in the homogeneous character of the area, derived from the use of vernacular materials and mellow red brick. Church Lane follows the curve of the graveyard boundary wall, and the area has a verdant semi-rural quality derived from overhanging trees and mature hedgerows. These are occasionally punctuated by the red brick walls or clay tile roof slopes of a widely spaced set of buildings, those that are listed (including Church Lane House) have a similar character, derived from the use of Basing House bricks. Individual buildings, such as Church Lane House, make a key contribution being in a prominent location near to other listed buildings which creates a streetscape of significant architectural and historic interest.

10. By introducing a development as set out in my reasoning above, the architectural and historical interest of the Conservation Area would be eroded, with the development eroding the spacious character of the area and encroaching on the relationship of the individual buildings with each other which currently enhance local distinctiveness and a sense of place. Accordingly, I find that the proposal would be harmful to the character of the Conservation Area, and therefore fail to preserve or enhance the Conservation Area.
11. I have found that that the proposal would fail to preserve the setting of the listed building; and would fail to preserve or enhance the character and appearance of the Conservation Area, as required by Sections 66(1) and 72(1) of the Act. Paragraph 199 of the National Planning Policy Framework (the Framework) also requires that great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to their significance.
12. Whilst the harm would be serious, elements of the setting would remain to the other side of the listed building, and it would continue to make a valid contribution to the Conservation Area. Therefore, I consider that the harm to the setting of the heritage asset in this case would be 'less than substantial,' within the meaning of the term in paragraph 202 of the Framework. Paragraph 200 states that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification. Paragraph 202 requires that, where a proposal would lead to less than substantial harm, the harm should be weighed against the public benefits of the proposal.
13. The proposal would make a modest contribution to the supply of housing in the Borough, in having regard to the objective within the Framework to significantly boost the supply of housing this would be a public benefit. However, I attach moderate weight to a single additional unit in respect of the public benefit it would provide.
14. The dwelling would be at the expense of the setting of the listed building, furthermore it would fail to preserve or enhance the Conservation Area. Accordingly, the public benefits of the proposals would not outweigh the less than substantial harm that would be caused to the significance of the designated heritage assets; harm that must attract considerable importance and weight.
15. The proposal would conflict with policies Policies EM1, EM10 and EM11 of the Basingstoke and Deane Local Plan 2011-2029, Policies OB&L 6 and OB&L 7 of the Old Basing and Lychpit Neighbourhood Development Plan 2011-2029. Collectively these policies advise that development must respect, enhance and not be detrimental to the character or visual amenity of the landscape, must conserve or enhance the quality of the borough's heritage assets in a manner appropriate to their significance, and be of a high-quality design.

Other matters

16. The Appellant asserts that the Council is unable to demonstrate a five-year supply of deliverable sites for housing and that the presumption should be applied. However, the Housing Delivery Results (January 2022) confirm that the Council is able to identify a five-year supply of deliverable site for housing. Moreover, having regard to the harm that I have identified to heritage assets in conflict with the Framework, paragraph 11(d)(i) advises that permission should

be granted unless the application of policies within the Framework that protect assets of particular importance provide a clear reason for refusing the development proposed. As set out in footnote 7 the policies referred to are those in the Framework relating to designated heritage assets. Accordingly, the presumption does not apply in this case.

Conclusion

17. I have found that the proposal would result in harm to the setting of heritage assets within the Conservation Area, having particular regard to the setting of Church Lane House, and the proposal would fail to preserve or enhance the character of the Conservation Area. There are no public benefits that would outweigh the harm identified.
18. For the reasons above I conclude that the appeal is dismissed.

J Ayres

INSPECTOR