



Appeal Decision

Site visit made on 22 March 2022

by Kim Langford Tejrar LLB (Hons) BSc (Hons) PGDIP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4TH April 2022

Appeal Ref: APP/N1730/D/21/3287496

11 Farnham Road, Odiham, Hook RG29 1AA

- 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 Mrs Sally Green against the decision Hart District Council.
 - The application Ref 21/02313/HOU, dated 03 September 2021, was refused by notice dated 03 November 2021.
 - The development proposed is 'Conversion of garage into habitable accommodation and erection of a single storey bay window to side elevation of garage, replacing door and window. Insertion of doors ground floor rear'.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development was amended following submission of the application; I have utilised the amended description.

Main Issues

3. The main issues are:
 - Whether the proposal would be an acceptable form of development for its proposed location; and,
 - The effect of the proposal on the character and appearance of the host building and surrounding area, particularly whether the proposal conserves or enhances the significance of 11 Farnham Road, a listed building, and the Odiham Conservation Area.

Reasons

Principle of development

4. The appeal site is 11 Farnham Road, a Grade II listed building. Its listing description refers to it as part of an attached pair of 2 storey dwellings. It is a building of relatively modest proportions, within the built envelope of Odiham.
5. The description of development proposed is to convert the existing detached garage at 11 Farnham Road into habitable accommodation. The Council considers that the proposed domestic facilities would create accommodation which is likely to be used as an independent dwelling, and as such, the

- proposed development would not be acceptable in principle as it would divorce the existing outbuilding from the listed building and divide its historic curtilage.
6. The Appellant indicates that the accommodation would be used as ancillary accommodation in association with the existing dwellinghouse. To this end, the proposal as applied for does not seek a material change of use to create a separate dwellinghouse.
 7. For the avoidance of doubt, the use as two or more separate dwellinghouses of any building previously used as a single dwellinghouse involves a material change in the use of the building and each part of it which is so used¹. However, even if the proposed accommodation provides facilities for independent day-to-day living, it would not necessarily become a separate planning unit from the main dwelling; this is a matter of fact and degree based on the use of the building and its relationship with the main dwelling². As the main dwelling is of modest proportions, has limited bedroom space and a close physical association with the existing garage building, it is reasonable to conclude that the habitable accommodation proposed would be used as ancillary living accommodation in association with the dwelling.
 8. Even if the development could be used as a separate dwelling, there is no proposal for a separate dwelling before me. In any case, should this appeal have been allowed, a planning condition specifying that the building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of 11 Farnham Road, would have met the relevant tests and would have provided sufficient clarity.
 9. In this respect only, the appeal proposal would comply with policy NEB9 of the Hart Local Plan (Strategy and Sites) (LP2020), adopted in 2020 and saved policy GEN1 of the Hart District Local (Replacement) Plan, adopted in 2009. These policies seek high quality design, which integrates well with its surroundings and which protects or enhances surrounding heritage assets, including their settings. However, for the reasons given below, the appeal proposal does not comply with the main aims of these policies.

Character and appearance

10. 11 Farnham Road is within the Odiham Conservation Area (CA). It is situated along Farnham Road, which continuously leads on from the High Street out into open countryside. The site is at the edge of the historic core of Odiham, at a character transition point between the attractive, historic High Street of Odiham and the more modern development at the settlement edge along Farnham Road. The CA Character Appraisal identifies the character of the High Street as lined on both sides with a largely continuous group of listed buildings, mostly Georgian in appearance, but often concealing much earlier buildings behind. The CA Character Appraisal goes on to say that the development of the town from the 12th Century onwards is reflected in the surviving medieval burgage plots, which provide such a distinctive plot layout. The scale and type of the buildings lining the High Street is varied, however, there is a predominant sense of modest and irregular historic proportions and architectural features.

¹ Section 55 (3) (a) Town and Country Planning Act 1990 (as amended).

² *Uttlesford DV v SSE & White [1992]*

11. 11 Farnham Road is typical of this historic local character; it is a modestly proportioned semi-detached pair with no. 10 Farnham Road, situated within a respectively generous plot, indicative of its historic burgage. The garage building is detached and is sited to the side of the dwelling fronting Farnham Road. The proportions of the existing garage are large in relation to the host dwelling, and it is prominent within the streetscene and wider CA. However, there are no proposed external alterations on the elevation fronting the street, and as such, its visual impact on the High Street and Farnham Road element of the CA would be limited.
12. The proposed alterations to the existing garage include an oak framed square bay window in the flank elevation and double doors in the rear elevation. The scale and overtly domestic appearance of those features would exacerbate the overall scale and proportions of the existing garage, creating a design which would compete with, and dominate, the modest proportions of the listed building. This would change the subservient relationship between the garage and dwelling.
13. The appeal scheme would also result in the permanent loss of parking space within the garage. The Council is concerned that this would result in increased use of the off-street parking area in front of the garage, thereby affecting the historic streetscene. The off-street parking area benefits from a dropped kerb and there is no restriction on its use regardless of the outcome of this appeal and therefore, the appeal scheme would not result in any additional detriment to the historic streetscene.
14. For these reasons, the appeal proposal would fail to respond the character of the host building and cause less than substantial harm to those elements of the listed building which contribute to its significance. Whilst the scheme would provide additional ancillary living space for the occupants of the appeal site, the less than substantial harm arising would not be outweighed by this limited private benefit.
15. Therefore, the proposal is contrary to policy NEB9 of the Hart Local Plan (Strategy and Sites) (LP2020), adopted in 2020 and saved policy GEN1 of the Hart District Local (Replacement) Plan, adopted in 2009. *Meeting local needs*

Conclusions

16. For the reasons stated above, I find that the appeal proposal is contrary to the relevant policies of the Development Plan, would cause less than substantial harm to the significance of a listed building. This harm is not outweighed by the limited private benefit arising from the proposed development. The appeal is accordingly dismissed.

Kim Langford Tejrar

INSPECTOR