

Appeal Decision

Site visit made on 15 July 2022

by G Powys Jones MSc FRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 03 August 2022.

Appeal Ref: APP/N1730/D/22/3294042

11 Jolly Miller Close, North Warnborough, Hook, Hampshire, RG29 1GA

- 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 Ian Sanders against the decision of Hart District Council.
 - The application Ref 21/02519/HOU, dated 26 November 2021, was refused by notice dated 17 January 2022.
 - The development proposed is the erection of an oak-framed open sided carport.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are whether the proposed development would preserve or enhance the character or appearance of the North Warnborough Conservation Area (CA), and the effect of the proposal on the setting of the Castle Bridge Cottages, which are listed as being of special architectural or historic interest (*Grade II*).

Reasons

3. The appeal property is a recently built semi-detached dwelling set in a modest cul-de-sac development accessed from the main Hook Road alongside the Jolly Miller public house. It is a pleasantly designed development with an open forecourt comprised of brick pavements.
4. Directly across the forecourt from the appellants' house are their two uncovered parking spaces. They wish to cover them since his cars are unprotected from the alleged nuisance caused as a consequence of being too close to a tree.
5. The appellants acknowledge the sensitivity of the location, and say:
Taking into account the sensitive setting of the site adjacent to rear gardens of a terrace of Grade II listed buildings and within the North Warnborough Conservation Area, the appellants have put forward a sympathetically designed proposal which by virtue of its modest scale, design and materials of construction would complement the parent property and the character of the area.
6. I recognize the design efforts made by the appellants in their attempt to integrate the car port with its surroundings. It appears to me however that the

- design and layout of the new residential scheme, of which the appeal property forms a part, successfully integrates with and respects both the character and appearance of the CA. The degree of separation between the new build dwellings and the listed cottages ensures a sense of openness, aiding significantly in preserving the setting of the attractive, terraced listed buildings.
7. In my view, the introduction of the car port structure, as proposed, would harm the planned openness of this part of the CA, and consequently the setting of the listed buildings, which at present can be clearly appreciated. The structure, whilst open sided, would nevertheless harmfully clutter what was clearly designed as an open area and, as a consequence, would cause harm to both heritage asserts.
 8. I have noted the appellants' suggestion that the significance of the listed terrace is derived largely from the quality of its front elevation. However, this is not a convincing reason to allow a development causing harm to the setting of the listed cottages as appreciated from within the new housing development, from various vantage points.
 9. The appellants also refer to two garages in the vicinity of the appeal site. One is newly built, being set alongside the appellants' dwelling. I found its siting unobtrusive, not impinging on the openness of the residential layout or on the setting of the listed cottages. The other, older garage referred to makes little or no positive contribution to the character and appearance of the locality. I do not therefore consider that the existence of these structures justify the erection of a harmful structure as the appellants seem to imply.
 10. I therefore conclude that the proposed development would prove harmful, if implemented, and would neither preserve nor enhance the character and appearance of the CA and would damage the setting of the listed buildings.
 11. Accordingly, a clear conflict arises with those provisions of policy NBE8 of the Hart Local Plan (Strategy and Sites) 2032 and policy GEN1 of the Hart Local Plan (Replacement) 1996-2006 requiring new development to conserve or enhance heritage assets and their settings, and to be in keeping with local character.
 12. The harm that I have found is less than substantial, but I have not been made aware of any public benefits arising from the proposal, if implemented. Indeed, it appears to me that only the private benefits accruing to the appellants would arise.

Other matters

13. I have taken account of all other matters raised in the representations including the objections made by and on behalf of several local residents, and those of the Parish Council.
14. Whilst I share the objectors' views on the effect on local character and heritage assets, I note from the officer report on the application that the Local Planning Authority assessed the possible impacts on residential living conditions and highway aspects, and raised no objection. I have no reason to disagree with the Council's assessments on these issues.

15. Whilst not in itself decisive, I am mindful that a successful appeal may encourage others to pursue similar proposals which the Council would find difficult to resist, thus accentuating the harm I have found.
16. No other matter raised outweighs those considerations which led me to my conclusions.

G Powys Jones

INSPECTOR