



Appeal Decisions

Site visit made on 6 September 2022

by A Tucker BA (Hons) IHBC

an Inspector appointed by the Secretary of State

Decision date: 14 September 2022

Appeal A Ref: APP/R3650/W/21/3289978

19 Ockford Road, Godalming, GU7 1QU

- 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 David Mumford against the decision of Waverley Borough Council.
 - The application Ref WA/2021/02025, dated 23 August 2021, was refused by notice dated 30 November 2021.
 - The development proposed is demolition of the side/ rear garden walling, demolition of the modern garage, erection of a replacement two floor side extension and alterations.
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Appeal B Ref: APP/R3650/Y/21/3289979

19 Ockford Road, Godalming, GU7 1QU

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr David Mumford against the decision of Waverley Borough Council.
 - The application Ref WA-2021-02026, dated 23 August 2021, was refused by notice dated 30 November 2021.
 - The works proposed are demolition of the side/ rear garden walling, demolition of the modern garage, erection of a replacement two floor side extension and alterations.
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Decision - Appeal A

1. The appeal is dismissed.

Decision - Appeal B

2. The appeal is dismissed.

Preliminary Matters

3. The appeals relate to the same proposal under different legislation. I have dealt with both appeals together in my reasoning.

Main Issue

4. The main issue for both appeals is the effect on the significance of the grade II listed building, which comprises three dwellings known as 15, 17 and 19 Ockford Road, and whether the proposal preserves or enhances the character and appearance of the Ockford Road Conservation Area.

Reasons

5. Section 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA) requires the decision maker to have 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 of the LBCA requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

6. The appeal building is part of a terrace of three dwellings that were built together in the early 19th century. Each dwelling has a broad front elevation, and together they form an elegant and rather distinguished terrace that stands slightly elevated from the road. The front elevation of the terrace has a strong sense of symmetry and order. Each dwelling is defined by plain pilasters. A single low pitched hipped roof sits over the terrace in a unifying manner, with deep soffits that are characteristic of the period. The significance of the building is thus primarily derived from its strong architectural form and refined appearance, which is largely unaltered at the front apart from the modest addition of the existing garage.
7. The formal appearance of the front elevation, faced in neatly coursed brick, contrasts with the blank side elevations and less formal fenestration at the rear. The side and rear elevations are constructed with rubble stone. This contrast in itself has some significance, demonstrating the emphasis placed on presenting a fine architectural composition to face the road that is different to the building's more functional appearance at the rear.
8. The appeal building is located within the Ockford Road Conservation Area (CA). The Council suggests that the CA offers evidence of the historic development of Godalming, with a good collection of historic buildings that contribute to a highly aesthetic approach to the town. At my visit I could see a large number of good quality and well preserved historic buildings lining the road. These display a range of traditional vernacular elements and are varied in style. The prominently positioned terrace that the appeal building is part of is a valuable contributor to the character and appearance of the CA.
9. The proposal would see the existing garage building replaced. The parties agree that this structure is of no significance, and its poor quality construction means that it is of limited use to the occupants of the dwelling. Similarly, the utility extension at the rear does not serve the dwelling well owing to its poor design and lack of insulation. Thus, the principle of demolishing these structures is acceptable.
10. The replacement extension would be much larger. The top of its roof would straddle the existing eaves level and would in part sit on top of the existing side facing hip. The extent of overlap is very modest. This is likely to look poor in the context of the well-proportioned forms of the existing building, including its prominent hipped roof which retains its original appearance. In addition, it is likely to be necessary to form the slither of new roof that will sit over the existing roof entirely in lead to the front and rear, which will add to its poor appearance.
11. At my visit I viewed the existing extension at the rear of the terrace to which the appellant has referred. This is of a similar height to the proposal, however its awkward adjunct with the existing roof is lessened because it extends out a long way from the rear of the terrace. Furthermore, its functional appearance does not appear so out of place at the rear of the terrace as this aspect of the building has a more modest character.

12. The front face of the extension would be tile hung above the garage doors. Although tile hanging is common within the CA it is not a material that is currently used on the building. The use of a complementary material rather than a matching one for an extension can be appropriate. However, in this case the tiles would be prominent to view in the context of the front elevation of the terrace, where they would draw the eye and appear at odds with the simple and uniform palette of existing materials.
13. This matter would be further exacerbated by the lack of a window opening within this area of wall. This arrangement would be at odds with the consistent rhythm of openings that span the front elevation of the terrace.
14. A rooflight would be positioned on the front facing roof slope. This fitting would appear quite out of place alongside the original roof which has an expansive blank surface that is only punctuated by chimney stacks. The relationship between the proposed roof and the existing roof, the materials proposed, and the fenestration would significantly harm the overall architectural composition of the terrace and the character and appearance of the CA.
15. The appellant has suggested that the rooflight could be removed, reduced in size or replaced with a dormer window to address the Council's concerns. I am however unable to take such an amendment into account as it would be beyond that which could be secured by a planning condition as it would be materially different to the scheme that the Council considered and consulted upon. I acknowledge the appellant's frustration with the lack of discussion he was able to have with the Council. However, the procedural guide establishes that the appeal process should not be used to evolve a scheme and it is important that what is considered by the Inspector is essentially what was considered by the local planning authority, and on which interested people's views were sought¹.
16. A larger rooflight is proposed at the rear, which would straddle the eaves and connect to a vertical window below. This would be over scaled within such a small area of roof and would require a substantial area to be cut away at the eaves level to account for the deep soffit, which is not clearly represented on the plans.
17. At ground level the extension would project out beyond the main rear wall of the terrace. It would have a low pitched and somewhat squat gable end, with an arrangement of square window openings that would be at odds with the proportion of the terrace's sash windows. Furthermore, it would wrap around the rear corner of the building in a rather clumsy fashion and would sit tight against the side of an existing window, obscuring a brick reveal. As a result, it would not respect the form, proportion, architectural detail or historic fabric of the existing building.
18. I therefore find that the proposal would harm the special interest of the listed building and the character and appearance of the CA. In terms of the National Planning Policy Framework (the Framework) the harm would be less than substantial. Paragraph 202 of the Framework establishes that any harm should be weighed against the public benefits of the proposal.

¹ Procedural Guide: Planning Appeals – England, Annex M.2.1

19. The proposal would see the existing garage and utility room replaced. Paragraph 202 of the Framework makes it clear that only public benefits can weigh against heritage harm. It is suggested that the existing utility structure is causing some damage to the listed building. Resolving this would be a heritage related public benefit. However, if the garage were simply to be demolished, because of its poor condition and to avoid any further structural damage to the principal structure, the dwelling would continue to function as a spacious and well laid out family home. It is not essential to deal with these matters by replacing these extensions; this would instead largely be a private benefit for the occupiers of the dwelling.
20. I do accept that a well-insulated extension would better conserve energy, and the conservation of energy is a public benefit. However, the extension is modestly sized in the context of the whole dwelling, so this is a matter that should only attract limited weight.
21. The appellant suggests that the proposal would insulate against road noise, which would improve the living environment. It is not clear how the proposal would achieve this, and it is not suggested that road noise is currently such an issue that the occupation of the dwelling is not viable. Accordingly, I give this matter little weight.
22. The proposal would cause harm to the special interest of the building. Paragraph 199 of the Framework establishes that great weight should be given to the conservation of a heritage asset. The public benefits before me are limited and are not sufficient to outweigh the significant level of harm identified.
23. In summary, the proposal would fail to meet the requirements of the LBCA as it would harm the special interest of the building and would not preserve the character and appearance of the CA. It would be contrary to Policy HA1 of the Waverley Borough Local Plan Part 1: Strategic Policies and Sites 2018, and Saved Policies HE3, HE5 and HE8 of the Waverley Borough Local Plan 2002, which together seek to ensure that heritage assets will be conserved or enhanced and that proposals will be of a high standard of design.

Conclusion

24. For the reasons above, both appeals should be dismissed.

A Tucker

INSPECTOR