



Appeal Decision

Site visit made on 6 February 2023

by James Blackwell LLB (Hons) PGDip

an Inspector appointed by the Secretary of State

Decision date: 28 March 2023

Appeal Ref: APP/H1705/W/22/3305467

35 Pyotts Hill, Old Basing RG24 8AP

- 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 S Richardson against the decision of Basingstoke and Deane Borough Council.
 - The application Ref 21/01884/FUL, dated 31 May 2021, was refused by notice dated 6 April 2022.
 - The development proposed is erection of three dwellings with altered site access, following demolition of existing house and outbuildings.
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Decision

1. The appeal is allowed and planning permission is granted for erection of three dwellings with altered site access, following demolition of existing house and outbuildings at 35 Pyotts Hill, Old Basing RG24 8AP in accordance with the terms of the application, Ref 21/01884/FUL, dated 31 May 2021, subject to the conditions set out in the Schedule to this decision.

Preliminary Matters

2. The Council's second reason for refusal concerned an absence of information relating to the potential presence of bat roosts on the appeal site. During the appeal, the appellant has submitted a Bat Emergence Survey Report, which has since satisfied the Council in this regard. In turn, the Council no longer wishes to uphold this reason for refusal. Subject to addressing the point in the conditions to this decision, I have therefore not considered this matter further.
3. The appeal site is within the Old Basing Conservation Area. In line with my statutory duty under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have had special regard to the desirability of preserving this heritage asset and its setting.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the area, including whether the proposal would preserve or enhance the character or appearance of the Old Basing Conservation Area.

Reasons

5. The appeal site, which sits on the western side of Pyotts Hill, comprises a detached dwelling with a series of outbuildings, all of which are in a state of disrepair. The house is largely enclosed by a tall boundary wall and mature vegetation, which means only glimpsed views of the properties can be gained from the road. Land to the east of Pyotts Hill is made up of open fields, which

gives the area a semi-rural character. Neighbouring dwellings on the western side of the road are mixed in design and follow a loose and informal arrangement.

6. As mentioned, the property is located within the Old Basing Conservation Area (CA). The Conservation Area Appraisal describes Pyotts Hill as a "semi-rural lane on the edge of the settlement". The character area in which the appeal property is situated is further described as having a loose building grain with a low density and semi-rural edge of village feel. Buildings are predominantly two-storey with a mixture of pitched and hipped roofs, and red brick and timber framing predominate in terms of materials. The significance of this part of the CA is primarily derived from these characteristics, which was apparent on my site visit.
7. The appeal scheme would introduce three new dwellings to the site, following demolition of the existing house and outbuildings. Two of the new houses would be semi-detached and would be positioned towards the rear of the plot. The third house would be sited closer to the front of the plot, with its rear garden bordering the road. All three dwellings would share a central courtyard which would also serve as the access to the properties. Whilst this arrangement could be considered akin to a cul-de-sac, the CA's Character appraisal does highlight that "during the 20th and 21st centuries housing has been built within the conservation area, in cul-de-sacs leading off the main through road". Such an arrangement would therefore be reflective of the wider character of the CA.
8. I note that Plot 1 of the proposal would be sited closer to the road than other dwellings along Pyotts Hill. Nonetheless, the loose arrangement of dwellings within this part of the CA means there is no particular building line which needs to be adhered to. In turn, the proposed siting of Plot 1 would not preclude it from integrating effectively with the surrounding built form. Similarly, whilst the frontage of this plot would not face the lane, its layout would still be in-keeping with the informal arrangement of properties in this part of the CA. Indeed, Corner House, which borders the appeal site to the north-west, also has the bulk of its garden bordering Pyotts Hill. The proposal, and specifically the siting of Plot 1, would therefore reflect other nearby dwellings in this regard.
9. Whilst the Council alleges that the proposal would amount to overdevelopment of the site, the extent of built coverage would be comparable to the existing position. Indeed, the existing dwelling and outbuildings currently comprise approximately 0.18ha of the site, which equates to 18% of the site's coverage. The proposed development is only marginally greater, covering 19% of the site. Notwithstanding the height of the new houses, the extent of built form would therefore be broadly similar, whilst also maximising the site's potential for an effective use of land. Moreover, the proposal would reduce the extent of hardstanding on the site, from approximately 786m² to approximately 345m². Even accounting for the extent of new built form, this would amount to a significant reduction in the overall built coverage and hardstanding of the site. This would promote a greater degree of landscaping and verdancy within the plot, which would complement the semi-rural character of this part of the CA.
10. In terms of design, the dwellings would achieve a high-quality appearance, and would utilise materials that would be in-keeping with the character of the CA. Each of the dwellings would retain a generous garden, which would again

reflect the sense of space in and around neighbouring properties. The proposed scheme would also incorporate extensive landscaping, particularly at the front of the plot, which would contribute positively to the green credentials of the site and those of the wider CA.

11. On account of these factors, I consider that the proposal would contribute positively to the character and appearance of the area. In turn, I am satisfied that the development would also preserve the character and appearance of the CA.
12. The development would therefore be consistent with Policies EM1 and EM10 of the Basingstoke and Deane Local Plan (2011 – 2029) (Local Plan), which require development to contribute positively to local distinctiveness and sense of place, through sympathetic design which preserves or enhances the character and visual amenity of the surrounding landscape. The development would also align with Policy EM11 of the Local Plan, which seeks to preserve or enhance the quality of the borough's heritage assets, in a manner appropriate to their significance. The proposal would also reflect similar objectives regarding design, character, appearance and heritage, as set out in Policies OB&L 6 and 7 of the Old Basing & Lychpit Neighbourhood Plan (2015–2029). Finally, the development would be consistent with the overarching design objectives of the National Planning Policy Framework (2021) (Framework), as well as its focus on the protection of heritage assets.

Other Matters

13. The Council has cited an appeal relating to Pyotts House in support of its case. Whilst this scheme was dismissed at appeal, the proposal sought permission for nine dwellings, whereas the present scheme seeks permission for just three. The scale and associated impact of the two schemes are therefore materially different. In turn, the Pyotts House appeal only carries limited weight in my decision.
14. The appeal site is located near to the Pyotts Hill Entrenchment, which is a Scheduled Ancient Monument (SAM). It comprises a long linear earthwork believed to mark the boundary of Basing Medieval Deer Park. It consists of a large bank between 2-3 metres high, and a ditch along its west side which has largely silted up or been infilled. The SAM is now mostly covered in mature trees and shrubs. The characteristics of the SAM as a landscape boundary feature would be retained as part of the development. Notwithstanding its proximity, the proposal would therefore preserve the aesthetic and the historical value of the earthworks. In turn, I am satisfied that it will not impact on its setting. This conclusion reflects the view of the Council's archaeological officer.
15. There would be sufficient separation between all windows in the new dwellings and the closest neighbouring houses. This would ensure that the development would not have any undue impact in terms of privacy or overlooking. The relationship with neighbouring dwellings would also be typical of other neighbouring properties along Pyotts Hill. This conclusion reflects the Council Officer's view in this regard.
16. I am satisfied that the net addition of two dwellings would not exacerbate any existing traffic issues along Pyotts Hill to an unacceptable degree. This conclusion reflects the view of the the Highways Authority, which has not

raised any safety concerns in this regard. Whilst I acknowledge comments regarding the potential displacement of vermin, there is little substantive evidence of this factor before me which would enable me to consider this issue objectively.

17. The appeal site lies outside of the catchment for The Solent, which includes the River Itchen Special Area of Conservation. As a result, I am satisfied that the development would not lead to adverse effects on the integrity of the protected sites found therein.

Conditions

18. I have reviewed and adapted the Council's proposed list of conditions in accordance with the requirements of the Framework and the PPG.
19. I have included a condition requiring samples of external materials to be approved by the Council, prior to commencement. This is to ensure the new dwellings properly reflect the character and appearance of the CA.
20. Details of hard and soft landscaping must be approved prior to commencement. This is to ensure these components are properly factored into the development proposals, thereby enhancing the overarching semi-rural character of the CA.
21. Given the sloping topography of the site, a survey showing existing and final ground and floor levels of the site must be approved prior to commencement. This will help ensure a consistent roof topography is preserved within the area.
22. To safeguard neighbouring amenity during construction of the development, a Construction Method Statement must be submitted to and be approved by the Council prior to commencement. For the same reasons, construction hours and hours for deliveries have also been limited, to minimise noise and disturbance during anti-social hours.
23. Following comments from the Council's Environmental Health Officer, I have included conditions requiring the risks posed by contamination to be properly addressed as part of the development.
24. Prior to occupation, appropriate drainage provision for areas of hardstanding must have been made. Parking, turning areas, access, cycle storage and bin and refuse storage must also have been provided prior to occupation.
25. To maximise the sustainability credentials of the site, electric vehicle charging provision should be incorporated into the development if possible. For similar reasons, water efficiency standards have also been imposed.
26. To ensure adequate privacy is maintained, the bathroom window at the first floor of Plot 1 (on its northern elevation) must be obscure glazed.
27. Finally, I have restricted certain permitted development rights relating to ancillary development within the curtilage of the new dwellings. This will mean sufficient controls are in place to help ensure that the proposal continues to preserve the character and appearance of the CA.
28. Whilst the Council has also suggested a condition restricting permitted development rights relating to new openings on a number of elevations of the

new dwellings, I do not consider such a condition would meet the test of necessity in this instance.

Conclusion

29. For the reasons given above, and having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, the appeal should be allowed.

James Blackwell

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.
- 2) The development hereby permitted shall be carried out in accordance with the following approved drawings: P01 Rev B (Location Plan and Block Plan); P05 Rev D (Proposed Site Plan); P10 Rev A (Plot 1 – Plans); P11 Rev A (Plot 1 – Elevations); P20 Rev A (Plots 2 and 3 – Plans); P21 Rev A (Plots 2 and 3 – Elevations); P06 Rev A (Proposed Site Roof Plan); P08 Rev B (Proposed Street Scene/Sections); and P07 Rev B (Proposed Sketches).
- 3) No development shall commence on site above slab level until details (including samples) of the types and colours of external materials to be used have been submitted to and approved by the Local Planning Authority. The development shall be carried out and thereafter maintained in accordance with the approved details.
- 4) No development shall commence on site above slab level until a scheme of hard and soft landscaping has been submitted to and approved by the Local Planning Authority. The hard and soft landscaping scheme shall specify the type of hard surfaces to be used, details of boundary treatments and species, planting sizes, spacing and numbers of trees and shrubs to be planted (including replacement trees), together with a programme of ongoing maintenance. The approved scheme shall be carried out in the first planting and seeding season following the first occupation of the development. Any tree or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 5) No development shall commence on site until a measured survey of the site has been undertaken and a plan prepared (to a scale of not less than 1:500) with details of existing and final ground and finished floor levels, which shall have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 6) No development shall commence (including any works of demolition) until a Construction Method Statement (CMS) has been submitted to and approved by the Local Planning Authority. The CMS shall include details of: (a) the parking of site operatives and visitor vehicles; (b) loading and unloading of plant and materials; (c) management of construction traffic and access routes; and (d) storage of plant and materials used in construction of the development.
- 7) No development shall commence (including any works of demolition) until there has been submitted to and approved in writing by the Local Planning Authority: (a) a desktop study carried out by a competent person documenting all the previous and existing land uses of the site and adjacent land; (b) if deemed necessary by the Local Planning Authority, a site investigation report documenting the ground conditions of the site, including chemical and gas analysis identified as being appropriate by the desktop study; and (c) if deemed necessary by the Local Planning Authority, a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants or gases when the site is developed. The scheme must include a timetable of works, site

management procedures and the nomination of a competent person to oversee the implementation of the works, together with details of future monitoring and maintenance.

If during the course of the development any contamination is encountered which has not been previously identified, it should be reported immediately to the Local Planning Authority. The additional contamination shall be fully assessed and an appropriate remediation scheme shall be agreed with the Local Planning Authority, together with a timetable for implementation. The approved remediation scheme shall be implemented in accordance with the approved details.

- 8) No dwelling hereby permitted shall be occupied until a verification report by a competent person (as approved under condition 7(c)) showing that any remediation required and approved under condition 7(c) has been fully implemented in accordance with the approved details has been submitted to and approved by the Local Planning Authority. Unless otherwise specified, the verification report shall include: (a) as-built drawings of the implemented scheme; (b) photographs of the remediation works in progress; and (c) certificates demonstrating that imported materials and or any materials left in situ on the site are free of contamination. The development shall thereafter be maintained in accordance with the details of future monitoring and maintenance approved under condition 7(c).
- 9) No dwelling hereby permitted shall be occupied until all areas to be used by pedestrians and vehicles have been laid out with a drained surface. Provision shall be made to direct run-off water from the surface to a permeable or porous area or surface within the development site, which shall be maintained for the lifetime of the development.
- 10) No dwelling hereby permitted shall be occupied until the provision of parking and turning of vehicles to serve that dwelling has been made in accordance with drawing P05 Rev D (Proposed Site Plan). The parking and turning areas shall be maintained for such purpose in perpetuity.
- 11) No dwelling hereby permitted shall be occupied until the means of vehicular access to the site has been constructed and fully laid out in accordance with drawings P01 Rev B (Location and Block Plan) and P05 Rev D (Proposed Site Plan), and no structure or planting exceeding 1 metre in height shall be placed within the visibility splays shown on these plans.
- 12) No dwelling hereby permitted shall be occupied until secure cycle parking facilities (to include 2 long stay and 1 short stay spaces for each dwelling) have been provided to serve the respective dwelling. The cycle parking facilities shall be maintained in perpetuity.
- 13) No dwelling hereby permitted shall be occupied until refuse and recycling storage has been provided in connection with the respective dwelling, in accordance with details which shall have first been approved by the Local Planning Authority. The refuse and recycling storage shall be maintained in perpetuity.
- 14) No dwelling hereby permitted shall be occupied until details of electric vehicle charging provision have been submitted to and approved by the Local Planning Authority, such details to include specification, appearance and location. The electric vehicle charging provision shall be implemented in accordance with the

approved details prior to occupation of the development and thereafter maintained in perpetuity.

- 15) Within 3 months of commencement of development, a Construction Statement detailing how the new homes shall meet a water efficiency standard of 110 litres or less per person per day, shall be submitted to the Local Planning Authority. If this standard cannot be achieved on technical or viability grounds, then this must be demonstrated to the satisfaction of the Local Planning Authority within the submitted Construction Statement. The development shall be carried out in accordance with the approved Construction Statement and thereafter maintained.
- 16) No deliveries or collections of construction materials or plant and machinery shall take place before the hours of 0730 or after 1800 Monday to Friday, before the hours of 0800 or after 1300 on Saturdays nor at any time on Sundays or Bank Holidays.
- 17) No work relating to the construction of the development, including demolition or other preparatory works, shall take place before the hours of 0730 or after 1800 Monday to Friday, before the hours of 0800 or after 1300 on Saturdays nor at any time on Sundays or Bank Holidays.
- 18) The development shall be carried out in accordance with the recommendations and procedures contained within Section 5.3 of the Bat Emergence Survey Report dated 3 August 2022 (Project Number P4853) by The Ecology Co-op.
- 19) The bathroom window at first floor level on the northern elevation of the dwelling in Plot 1 shall be glazed with obscured glass to at least the equivalent of Pilkington Level 4 standard. The window and glazing shall be installed prior to occupation of Plot 1 and shall be permanently maintained thereafter.
- 20) Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no building, structure or other alteration permitted by Classes A to F of Part 2 of Schedule 2 of the Order shall be erected on the application site without the prior written permission of the Local Planning Authority.