
Appeal Decisions

Site visit made on 2 February 2023

by Frances Mahoney MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 22 May 2023

Appeal Ref: APP/C1760/D/22/3295448

Edelweiss, Church Close, Abbotts Ann, SP11 7BH

- 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 and Mrs Marzano against the decision of Test Valley Borough Council.
 - The application Ref 21/03006/FULLN, dated 13 October 2021, was refused by notice dated 18 February 2022.
 - The development proposed is a single storey rear extension, together with the provision of a partial second storey to the existing property.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The planning application form relevant to this proposal sets out the address of the application site as being Church Road. This is then confirmed on the Notice of Refusal by the Borough Council. However, the appeal form indicates it as being on Church Close, as does the relevant location plan and block plan. For the avoidance of doubt, and based on the evidence of road signage I saw at the site visit, I have used the address as being Edelweiss, Church Close, Abbotts Ann.
3. Following the submission of this appeal the appellants highlighted to the Case Officer that their Heritage Statement dated October 2021, which was submitted as part of the planning application documentation, had not been included in the appeal documents. A copy was provided by the appellants and the Council notified accordingly¹. This document will be taken into account in my consideration of this proposal.
4. The Heritage Statement is of relevance in this case as the appeal site lies within the Abbotts Ann Conservation Area (Conservation Area) and also stands close by to the Grade II listed Manor House².
5. As decision-maker I must consider this appeal in light of the statutory duties placed upon me in Section 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which require that special regard shall be had to the desirability of preserving listed buildings or their settings or any features of special architectural or historic interest which

¹ Email from Roger Prescott to Planning Inspectorate dated 13 July 2022.

² Now divided into The Manor and the East Manor House. Will refer to the Listed Building as The Manor House.

they possess, and special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

Main Issues

6. I have considered the terms of the Council's reason for refusal and taking into account the statutory duty placed upon the decision-maker I consider the main issues in this instance are as follows:
 - Whether the proposed extensions would preserve the special architectural or historic interest of the adjacent Listed Building³ and its setting and their effect on the character and appearance of the Abbots Ann Conservation Area;
 - The effect of the appeal proposal on the character and appearance on the immediate locality; and
 - Whether any harms identified would be outweighed by other considerations so as to justify the development.

Reasons for the decision

7. The Abbots Ann Village Design Statement (AAVDS)⁴ identifies, in respect of the pattern of housing development within the village, modern housing is clustered in cul-de-sacs and closes. In style and form the expressed preference is for low roof lines to match existing cottages and half hipped roofs, raised eaves and dormer windows are suggested as all helping to make the old merge in with the new. Trees and ample space between these groups are also identified as means to stop them from having the appearance of urban housing.
8. Church Close is a quiet cul-de-sac of predominantly single storey dwellings, four in number. These bungalows are simplistic in their form and design being turn of the Century additions to the built environment of this locality. Their design does reflect the low roof line identified in the AAVDS as being of importance as a distinctive feature of the village.
9. Within the cul-de-sac are The Manor and East Manor House⁵. The L-shaped building is of 18th Century original with 19th Century alterations and additions. It is a reasonable assumption that the 20th Century bungalows of Church Close have been built within the original grounds of The Manor House. A curved brick wall and dense manicured hedge presents a strong boundary between the Listed Building and the roadway of the Close. The height of these boundary treatments hides the lower section of the house from general view from Church Close⁶, but the two-storey height and tiled pitch roofs and substantial brick chimney stacks of the Listed Building affords the house prominence both within the cul-de-sac, as well as in the wider vicinity particularly when viewed from Church Road. The change in building character from the simple form of the rear range of the house to the more formal exposed brick front also provides visual interest and is an expression of the houses evolution over time.

³ The Manor House.

⁴ This document has been adopted as Supplementary Planning Guidance. I have afforded it appropriate weight in the context of being for guidance only.

⁵ Formerly listed as The Manor House – Grade II.

⁶ The front range, now occupied as a separate unit has a direct access from Church Road. Much of the front elevation can be observed through the wide gated access to those who wish to pause. From this point the bungalows of Church Close do not compete in visual terms.

10. Ground levels from Church Road increase to the south along Church Close, placing Edelweiss in a raised position at the point where the Close terminates. The visual relationship of Edelweiss with the Listed Building, albeit, in both cases mainly confined to roofscape, predominantly centres on the juxtaposition of the two buildings, taking into account, this raised ground level to the south. Figure 6 of the appellants' Heritage Statement shows the view from Church Road at the entrance to Church Close where Edelweiss can be seen in close proximity to The Manor House.
11. The common boundary between Edelweiss and the Recreation Ground is delineated by a mature hedgerow of a height just below the existing eaves level of the bungalow. Substantial mature trees of a significant height within the front garden area of Edelweiss are of particular visual prominence both in views from the Recreation Ground as well as from Church Road. These trees would not be affected by the proposed development⁷ and their well-being does not need to be considered further⁸.

Heritage

12. The significance⁹ of The Manor House includes its relationship with the wider village, particularly with the Old Manor and the Parish Church¹⁰. Whilst acknowledging there are trees and hedgerows which serve to visually intervene between these important heritage assets within the village, the significance of The Manor House is not diminished by being partially hidden from view. The Listed Building is not isolated to the heart of the village but stands on the approach alongside other village residences. The level of intervisibility is not a factor which should undermine the importance of a heritage asset in the context of assessing its significance. In this case its historic interest is maintained, along with its association with the close-by heritage assets which is still discernible.
13. The fortunes and status of those living in The Manor House undoubtedly increased over time. The addition of the more classical front wing onto the earlier, simple rear range and the presence of the now residentially converted Coach House to the west show an increase in the resident's wealth and standing in the community. This all goes to the historic interest of the building and its significance within the making of the village itself both in the past and into the future.
14. The setting¹¹ of The Manor House would have included its immediate surroundings which is shown on the Tithe map of 1840 to have included the open undeveloped spaces around the building stretching down to The Old Manor and the Parish Church and into the wider landscape to the south and east. As already highlighted, part of the Listed Building's significance does include that relationship with these other Listed Buildings¹².

⁷ Should the appeal have been allowed the Tree Officer agreed conditions relating to protection during construction and separation of vehicle manoeuvring areas.

⁸ Trees subject of a Tree Preservation Order.

⁹ Significance - The value of a heritage asset to this and future generations because of its heritage interest. Significance derives not only from a heritage asset's physical presence but also from its setting - National Planning Policy Framework (the Framework) Annex 2 Glossary.

¹⁰ St Mary the Virgin.

¹¹ Setting of a heritage asset- The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral. - The Framework Annex 2 Glossary.

¹² This is not exclusively a visual relationship.

15. The modern day setting of the Listed Building has been significantly diminished by the building of Church Close. The Manor House is now tightly contained by the proximity of these modern homes¹³ along with the associated infrastructure crowding in on the Heritage Asset. The appellants recognise that Church Close has been highly damaging to the setting of the listed building, introducing an inappropriate form of development within the private secluded grounds of a relatively high-status house¹⁴. If there is a saving grace it is that the bungalows are single storey and that the scale and massing of the Listed Building, being full two storey with tiled pitched roof, continues to stand as a striking building of the past, a glimpse of the character of the village in a by-gone age.
16. The ridge of Edelweiss is proposed to be raised in height by some 2.3 metres¹⁵. However, the extent of the first-floor additions would create a building of significantly greater scale and mass than the existing low-key bungalow, when viewed from Church Road and the Recreation Ground. Some attempt has been made to reduce the overall scale by using the design devices of first floor windows purporting to be dormers and a half-hipped roof. However, the side elevations, visible from within Church Close and from both Church Road and the Recreation Ground would present expansive areas of almost unbroken two storey brickwork which would accentuate the bulk and massing of the extended house.
17. The increase in the overall size and magnitude of Edelweiss, set up at a higher ground level, would unacceptably compete with the historic form and scale of the Listed Building undermining the significance of The Manor House. In this way the proposal would not make a positive contribution to sustaining or enhancing the significance of the heritage asset.
18. The existing setting of the Listed Building, already diminished by the bungalow development, would be further harmed by the prominence and dominance of the proposed extensions to Edelweiss competing with the scale and massing of The Manor House. The existing substantial harm identified to the setting of The Manor House by the addition of the Church Close bungalows¹⁶ is not a justification to increase that harm by reason of further development which would not preserve the immediate setting of the Heritage Asset.
19. From the Recreation Ground to the south, Edelweiss partially blocks a full appreciation of The Manor House, and the Church can be seen poking up behind the Listed Building. Figure 11 of the Heritage Statement shows the view from the upper part of the Recreation Ground looking towards the Church. At present the height of the ridge of Edelweiss reflects quite closely that of the Manor House from this higher ground. What is proposed would still leave the single storey front bedroom/playroom element continuing this mirroring of ridge heights. However, the large first floor addition, whilst not immediately intruding into the view through to the Church, would introduce a building of bulk and mass which would then dominate the relationship of the Listed Building with the Church from this viewpoint. This would further

¹³ This includes other development along the south side of Church Road.

¹⁴ Heritage Statement paragraph 8.3.

¹⁵ Source Existing Plans and Proposed Elevations.

¹⁶ Accepted point by the appellants.

harm the significance of the Heritage Asset relating to its relationship with the wider village as described above.

20. In respect of the Conservation Area it is the character and appearance of the village, which is almost entirely included in the designation, which defines that designation. Church Close and The Manor House are included within the Conservation Area and Edelweiss is located on the very edge as the Recreation Ground and Manor Close lie outside of its boundaries.
21. The Conservation Area is a blend of historic and modern development, in general, maintaining the open spaces of the village around the Church and the Old Manor House which links through to the heart of the village made up of mainly small-scale houses and cottages. This is distinct from the concentration of listed buildings along Church Road/Little Ann Road on the approaches to the village.
22. Church Close adds little to the character or appearance of the Conservation Area. Its impact on the setting and significance of The Manor House has already been recognised as resulting in identified harm. The relationship of the various listed buildings one to another is part of the character of the Conservation Area. The impact of the proposed additions to Edelweiss in respect of scale and massing when viewed from Church Road would, for the reason of dominating The Manor House, neither preserve nor enhance the character or appearance of the Conservation Area.
23. Further, the contribution to character and appearance, which the bungalows of Church Close do make, is that their single storey, low-profile design and massing present a relatively low-key edge to the Conservation Area when viewed from the Recreation Ground. The proposed development would unbalance that subdued designated area boundary and the scale and massing, particularly in the up-slope location, would overpower the scale of the development in the immediate locality, particularly when viewed from the south.
24. These impacts on the Conservation Area would result in identified harms which would neither preserve nor enhance the character or appearance of the Conservation Area.

Heritage effects conclusion

25. Considering cumulatively the extent of the identified heritage harms to significance and setting of the designated heritage assets¹⁷, I find that the proposal would not represent a total loss of significance but would lead to less than substantial harm to the significance of those assets¹⁸. In my judgement this would be on the upper end of the sliding scale of less than substantial heritage harm.
26. It is now necessary to weigh the identified less than substantial harm against the public benefits of the proposal¹⁹.
27. The appellants do not offer any discernible public benefits of the scheme to weigh against any identified harms. I do, however, recognise that the

¹⁷ The Manor House, Parish Church, Conservation Area.

¹⁸ Framework paragraph 202.

¹⁹ Paragraph 202 of the Framework requires that the identified harm in the less than substantial category should be weighed against the public benefits of the proposal.

proposed extension to Edelweiss would almost certainly provide the appellants with a more comfortable family size home which could be considered to be a public benefit by reason of an improvement to the national housing stock.

28. Whilst constituting less than substantial harm in Framework terms, this would result in an inordinate amount of harm to heritage assets. Great weight and considerable importance should be given to the conservation of assets²⁰ irrespective of any further identified harm. Therefore, this weighting would outweigh the public benefits which would ensue from the development. There would be a clear conflict with the Test Valley Borough Revised Local Plan DPD Adopted Local Plan 2011-2029 (LP) Policy E9²¹.

Conclusion

29. It is clear that there is identified conflict with the Development Plan, resulting in consequential harm to which substantial weight should be ascribed. The proposal has also been assessed against the Framework as a whole and when specifically assessed against paragraph 202, it is found in the balance of the decision that specific policies in the Framework indicate development should be restricted, a finding which weighs significantly against the proposal.
30. I am conscious that there may or may not be other harms to put into the balance of this decision²². The heritage harm I have identified, along with the specific harm resulting from conflict with the Development Plan, are sufficiently weighty to clearly out-weigh the benefits of the proposal. On this basis it would not be productive to examine the other matter further²³.
31. Consequently, for the reasons given above I conclude that the appeal should be dismissed.

Frances Mahoney

INSPECTOR

²⁰ The Framework paragraph 199

²¹ LP Policy E9 reflects the requirements of Framework paragraph 202.

²² Specifically in relation to the impact on character and appearance.

²³ LP Policies E1, E2 & AAVDS - the impact on local distinctiveness and the appearance of the immediate area would have been of particular interest and concern.