



Appeal Decision

Site visit made on 19 September 2023

by A Tucker BA (Hons) IHBC

an Inspector appointed by the Secretary of State

Decision date: 29 September 2023

Appeal Ref: APP/C1760/W/22/3305139

Well and Westwell Cottages, High Street, Monxton, Hampshire, SP11 8AW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr Martin Cathcart-Jones against the decision of Test Valley Borough Council.
 - The application Ref 21/03735/VARN, dated 20 December 2021, was refused by notice dated 16 February 2022.
 - The application sought planning permission to demolish remains of cottages following fire and erect two replacement dwellings without complying with a condition attached to planning permission Ref 19/03006/FULLN, dated 17 April 2020.
 - The condition in dispute is No 02 which states that: The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers; 1915-05; 1915-06 A.
 - The reason given for the condition is: For the avoidance of doubt and in the interests of proper planning.
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Decision

1. The appeal is dismissed.

Preliminary Matters, Background and Main Issue

2. The cottages suffered a devastating fire. Listed building consent¹ and planning permission were granted to demolish the remains of the cottages and erect two replacement dwellings. This appeal only relates to the Council's refusal to grant a further planning permission without complying with one of the conditions issued on the original permission, which in effect would vary the original grant of planning permission only. I will consider the appeal on this basis.
3. The remains of the cottages have been demolished and the replacement dwellings have been partly erected, although work ceased on site some time ago pending the outcome of this appeal. I will consider the appeal on this basis.
4. The appeal relates to the proposed amendments to the design of the replacement cottages. Whilst the drawings show several differences that the Council has also expressed concern about, the change from thatch to tile for the main roof of the replacement cottages is the primary matter of disagreement between the main parties.
5. Accordingly, the main issue is the effect of the use of tile for the roofs of the replacement cottages instead of thatch on the character and appearance of the

¹ Council Ref: 19/02564/LBWN

area, including whether the proposal would preserve or enhance the character and appearance of the Monxton conservation area.

Reasons

6. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA) requires the decision maker, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the 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.
7. The appeal site is within the Monxton conservation area (MCA). The Amport, Monxton & East Cholderton Conservation Areas Character Appraisal (the appraisal) refers to the simple one-and-a-half-storey cottages with steeply pitched, largely unpunctuated thatched roofs that make up most of Monxton's listed buildings. The appraisal also refers to fine views from each direction of the crossroads near to the site, with a succession of thatched roof cottages that are tightly grouped together. Cottages on the northern side of the road to either side of the appeal site are tightly arranged at the road's edge and a significant portion of these are thatched. The modest scale of its buildings, its organic and piecemeal development, and historic materials such as cob and thatch are significant contributors to the character and appearance of the MCA.
8. The many listed buildings within the MCA make a highly valuable contribution to its character and appearance. Several are close to the appeal site and include Mill Pound Cottage immediately to the east. This is a simple linear cottage with a low slung thatched roof, the scale of which is accentuated by the build up of thatch around its dormers. These materials and the overall traditional form of the building are primary contributors to its special interest. It stands amongst other historic buildings that form the characterful cluster of tightly grouped cottages fronting this side of the road. The form, scale and materials of these other buildings are important aspects of the listed building's setting that contribute to its special interest.
9. Additionally, based on the evidence before me, the modest vernacular form of the Cottages that stood at the appeal site, including the undulating appearance of their cob walls and soft appearance of their thatched roofs, were valuable to the character and appearance of the MCA, and important aspects of the setting of the adjacent listed building that contributed to its significance. Their set back position means that they were not as prominent as other buildings that directly front the street, however the wide gap between the adjacent buildings allows clear views into the site and is an important component of the historic streetscene. Thus, their demolition has already caused some heritage harm.
10. The Council consented the demolition of the remaining structure following the fire on the basis that the replacement cottages would attempt to match the appearance of those that had been lost. This included replicating the functional placement of openings across the front façade. Although the plans did not include cob as the main walling material, they did include thatched roofs, and would have therefore broadly replicated the appearance of the pair of cottages.

11. Thatch is celebrated for its soft and undulating form and the way it often looks like it has been poured onto a building, especially where it has been recoated and built up to a substantial thickness over many years. The change of roof material would fundamentally alter the design of the replacement cottages and lessen the contribution they would make to the character and appearance of the area and manner by which they would mitigate the loss of the historic cottages. The result would be a pair of replacement cottages of a significantly downgraded appearance to that which was consented and that which previously existed at the site. The thatch was a core component of the approved design, in an effort to preserve the character and appearance of the MCA and setting of nearby listed buildings.
12. Reinstating the modest appearance of the cottages with their mismatched window sizes and lack of order would be given architectural coherence by using a unifying thatched roof. A reinstated thatch roof would dominate the appearance of the replacement building when viewed from the road and appear entirely appropriate for its historic setting. Its materials would help the replacement building to assimilate with its context, which includes the traditional form of the area's vernacular cob and thatched cottages.
13. Using tiles for the replacement building would shorten the length of thatched buildings that front this section of the MCA. The piecemeal loss of traditional materials such as thatch represents the gradual harmful erosion of the historic character of a place like Monxton. The effect of this can be seen when comparing the historic photo of The Cottage to the west of the appeal site with its present appearance. This building also suffered a fire and was reinstated with a tiled roof. Whilst this cottage still has a traditional appearance that is of some value to the character and appearance of the MCA, its value would be increased if it retained the soft forms of its thatched eyebrow dormers.
14. It is suggested that thatch is an inferior material. It is true that other materials last longer and do not require the same level of ongoing maintenance. However, a building with a thatched roof does not have an inferior appearance; in fact such buildings are highly valued, and thatching is a skilled trade. It is also a material that requires very little energy to produce, especially when compared with clay tiles, and is a good insulator. I cannot therefore agree that thatch is an inferior material.
15. The appellant refers to other buildings where the Council has accepted the loss of thatch. Most of these represent a considerably different set of circumstances to the appeal proposal, and in every case it is important for the loss of a traditional material to be carefully considered on its own merits. I am not satisfied that any of these cases are so similar to the appeal proposal that they should cause me to conclude that the change of material should be accepted.
16. In its refusal reason the Council states that the proposal would cause substantial harm, with reference to the National Planning Policy Framework (the Framework). This is referred to in reference to the design of the replacement dwellings and the impact they would have on the character and appearance of the area, that includes the MCA, and the surrounding heritage assets. Planning Practice Guidance² clarifies that a finding of substantial harm may not arise in many cases and is a high test. Paragraph 201 of the Framework likens substantial harm to total loss of significance. In this case the

² Planning Practice Guidance Paragraph 018 Reference ID: 18a-018-20190723

harmful impact of the proposal would not go to the core of the reasons for designating the MCA, and neither would it constitute development that would be so harmful to the setting of the closest listed building that it would cause substantial harm to its special interest.

17. Instead, I find that the level of harm arising from the change of material would be more appropriately measured as less than substantial. Paragraph 202 of the Framework establishes that where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
18. The appellant refers to the increased fire risk from a thatched roof. There are well established measures that have been developed to manage this risk such as the Dorset Model, increased levels of fire detection including smoke detection in the roof space, and other measures such as a minimum chimney height and not using a solid fuel burning appliance. These are measures that can be easily applied to a new build. As such I give this matter little weight.
19. The increased costs that come from a thatched roof are significant, and I appreciate that they are ongoing because of the additional maintenance requirements and longevity of thatch. However, in terms of the wider public benefit, this matter is balanced by the contribution that a thatched building makes to retaining the traditional skills associated with thatching.
20. The public benefits of the change of material are therefore limited. I need to consider this in the context of Paragraph 189 of the Framework which states that heritage assets are an irreplaceable resource and Paragraph 199 which establishes that great weight should be given to the conservation of a heritage asset. I am not satisfied that the benefits would be sufficient to outweigh the harm identified.
21. In summary, the change of materials would fail to meet the requirements of the LBCA as it would harm the special interest of the adjacent listed building and the character and appearance of the MCA. It would be contrary to Policies E1, E2 and E9 of the Test Valley Borough Revised Local Plan DPD 2011-2029. Together these Policies seek to ensure that development proposals integrate, respect, and complement existing character including landscape character and heritage.

Conclusion

22. In conclusion, the proposal conflicts with the development plan and there are no other considerations that outweigh that conflict. Therefore, the appeal should be dismissed.

A Tucker

INSPECTOR