



Appeal Decision

Site visit made on 9 April 2024

by J J Evans BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 April 2024

Appeal Ref: APP/N1730/W/23/3323895

Land rear of Holt Farm, Holt Lane, Hook, Hampshire RG27 9ER

- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr J Nadin against the decision of Hart District Council.
 - The application Ref 22/02204/OUT, dated 2 November 2022, was refused by notice dated 12 December 2022.
 - The development proposed is the erection of two five-bedroom detached dwellings.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The application was submitted for outline planning permission, and the application form makes it clear that approval is sought at this stage for access. Drawings submitted with the application and for the appeal show various site layouts. Although the proposed layout drawings have not been marked as illustrative, the appellant's appeal statement makes it clear that the scheme is an outline proposal with all matters reserved apart from access, and that the drawings showing various layouts are illustrative. The Council have considered the scheme on this basis. For the avoidance of doubt I have determined the appeal with regard to approval being sought at the outline stage only for access, with all other matters to be reserved for future consideration.
3. Holt Farmhouse and barn are grade II listed buildings. As required by Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) I have paid 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.
4. The site is within 5km of the Hook Common and Bartley Site of Special Scientific Interest which is part of the Thames Basin Heaths Special Protection Area. The Council considered the scheme failed to demonstrate that it would not have an adverse effect upon these protected designations and would be likely to have a significant adverse effect on these habitat sites. To address these matters, during the appeal process the appellant submitted a signed and dated agreement to provide alternative natural greenspace, and also a Unilateral Undertaking to provide contributions for avoidance and mitigation measures. I shall return to this matter later.

5. The National Planning Policy Framework (the Framework) was revised on 19 December 2023. Having regard to the matters that are most relevant to this appeal, there have been few substantive changes albeit that the numbering of paragraphs has changed. Therefore, I am satisfied that no one would be prejudiced by the changes, and I have referred to the latest version of the Framework in my decision.

Main Issues

6. The main issues in this case are:
- the effect of the proposal upon the character and appearance of the area, having particular regard to the effect upon the setting of the nearby listed farmhouse; and
 - the impact of the proposal upon Hook Common and Bartley Heath Site of Special Scientific Interest and the Thames Basin Heaths Special Protection Area habitat sites.

Reasons

Character and Appearance

7. Holt Farmhouse is a detached building positioned to the eastern side of Holt Lane. To the south of the railway this mostly single carriageway road provides access for a few dwellings before it terminates at a nature reserve. These dwellings are positioned within generous gardens beyond which are fields and paddocks. To the west of the lane is a business park which comprises completed units as well as plots that are currently being developed.
8. The Council have referred to the Hart Landscape Assessment (1997) describing the area as a transitional one between the edge of Hook and farmland. The main distinguishing features are its wooded character, with occasional built development associated with roads at the fringes of the settlement. The farmhouse and its former associated outbuildings and agricultural buildings are separated from the housing estates of Hook by the railway line. To either side of Hook Lane there are wide verges within which are mature trees and hedges, and this verdant intimacy to the lane separates it from the housing estates and business park, as well as forming a defined boundary to the edge of the settlement. Despite the proximity of the business park to the appeal property, both the lane and the railway line form a distinct edge to the town, with the scatter of dwellings to the eastern side of the lane and the agricultural land beyond them, having an open, rural nature.
9. The generous rear garden of the farmhouse extends beyond that depicted on the historic map of the property provided by the appellant. The garden comprises mostly lawns, with a few scattered specimen trees and a cluster of trees near to the boundary with Little Holt. Close to the house is a swimming pool and patio, an area that has been defined by a modern wall, and there is a tennis court near to the eastern side of the garden. The listed barn is now a dwelling and tall boundary treatments separate it from the garden of the farmhouse. Trees of a variety of species are growing near the garden boundaries, and those within the verge of Holt Lane contribute to the verdant enclosure of this road and to the character and appearance of the area.

10. Constructed in the 1670s, the farmhouse would have been an eye-catching building, being two-storey in height with attic rooms above. The house may not have been built to dominate views, but it has a high-quality form that draws the eye, with its impressive stacks, vernacular architectural detailing, and construction from local materials. The size and height of the house, along with its elegantly balanced wall to void ratio upon the front elevation, makes it a prominent building in the area. The house has been extended over time and both historic and modern extensions and alterations are legibly apparent, including works that incorporated some of its outbuildings into the dwelling. Even with the modern works, the size and height of the historic building, along with the high-quality detailing that is evident both within the oldest part of the dwelling and in the nineteenth century addition, all serve to give the house a legible and considered importance within the area. These features are all part of the special interest of this listed building.
11. The former role of the house as an integral part of a farmstead remains clearly evident. To the front of the house is an open area that is partly enclosed by former agricultural buildings, including the rear of the listed barn. This barn now has a residential use and appearance, as well as having been deliberately separated from the farmhouse and also from the land to the south by tall boundary treatments. Historic maps provided by the appellant not only show the farmhouse having a defined rear garden, but also demonstrate the functional relationships of the house and the farm buildings to each other and to the land. Although the barn now appears as purposefully separated from the farmhouse, the clustered proximity of the house to its former farm buildings and to the land beyond, all reflect the former historic functioning of the farmstead, and are part of the significance of the farmhouse. Furthermore, although now a domestic garden it serves to retain the farmhouse's relationship with open land, as well as its physical and visual separation from the houses to the south.
12. The proposed dwellings would be set back from the lane, positioned within the south-east corner of the garden, with an access point near to that of Little Holt. Despite this, the provision of two dwellings would unacceptably intensify and expand the loose-knit scatter of houses that currently exists along the lane, with the provision of an additional domestic access exaggerating the urbanising impact of the development. Whilst layout, style and size would be reserved matters, the shape of the site and the provision of an additional two dwellings and their associated residential paraphernalia would erode the undeveloped, open nature of the area. The dispersed scatter of houses along the lane would be intensified, consolidating development, to the detriment of the appearance of the landscape.
13. Although positioned to one end of the garden, the dwellings would detract from the dominance of the farmhouse and also from its legible linkages with the surrounding open land, including that now used as garden. The spread of homes into an undeveloped, open area that contributes to the setting of the farmhouse would have a suburbanising impact that would be to the detriment of the dominance of this building, further detaching it from open land. The loose-knit scatter of housing along the lane not only retains the primacy of the farmhouse within its open setting, but also creates an open character and appearance to the area that the provision of two additional dwellings would conspicuously erode.

14. As recognised by Historic England, the settings of listed buildings change over time. This is evident with the listed barn. The severing of its connectivity with the farmhouse, its deliberate, tall and enclosing boundary treatments, along with the residential appearance of the building, give it a self-contained isolation from the nearby farmhouse and the surrounding land. Given this, the development of the appeal site would have a neutral impact upon the setting of the listed barn. The farmhouse would historically have had a closer connectivity to its farm buildings, fields, and paddocks than currently exists. Nevertheless, part of the setting of the farmhouse derives from it being set apart from other nearby properties by its extensive gardens. The provision of two dwellings and the associated residential paraphernalia would considerably erode the open nature of its setting. It might be that the dwellings could be designed to harmonise with the farmhouse. Irrespective of this they would be set apart from the cluster of buildings and uses that comprises the former farmstead. Having regard to this separation, they would appear physically and illogically detached from the farm, rather than having a legible functional linkage to it.
15. The proposed access would result in the loss of trees along the lane, albeit the appellant's Tree Survey (2022) has identified the presence of Ash Dieback. It may be that the scheme could be designed to accommodate root and crown protection of the trees that would be retained as suggested by the Tree Survey. Even if this could be achieved, the dwellings and their generously sized plots would be visible from the lane, and particularly so when any trees would not be in leaf. The trees and tall fencing along the lane provide some screening of the garden, albeit what remains evident is the open, undeveloped nature of this land. The presence of two dwellings would result in the loss of this openness, as well as limiting views into the agricultural land beyond. Moreover, whilst landscaping would be a reserved matter, it cannot be relied upon to screen a development for its lifetime.
16. The Framework requires that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. For the reasons given above, the scheme would unacceptably harm the setting of the listed farmhouse. This harm would be less than substantial given the size of the site when compared to that of the setting of this designated heritage asset as a whole. Nevertheless, it would be of considerable importance and have to be weighed against the public benefits of the proposal.
17. The provision of two homes would be a modest public benefit, as would measures for them to be energy efficient. There would be time limited economic benefits arising from the construction works and associated employment, and ongoing ones arising from the occupiers of the dwellings. However, such modest public benefits would not outweigh the significant harms that I have identified.
18. The parties have drawn two appeal decisions to my attention (appeal references: APP/N1730/W/21/3273187 and APP/N1730/W/22/3298012). I have had regard to these decisions and noted the views of the main parties that the proposal would be on previously developed land outside the settlement boundary for the town but in a sustainable location where future occupiers would have access to nearby day-to-day services and facilities without having to rely upon private cars.

19. However, development in the countryside upon previously developed land is also required to accord with the requirements of Policies GEN1, NBE2, and NBE9 of the Hart Local Plan (2009 and 2020) (LP), and Policy HK12 of the Hook Neighbourhood Plan (2020). For the reasons given above the scheme would have an adverse impact upon the character and appearance of the area, and also upon the setting of the farmhouse. As these policies seek, amongst other things, that development protects and wherever possible enhances landscapes, that which positively contributes to the overall appearance of a local area, taking into account factors that contribute to local character, the scheme would fail to accord with these policies. The harms to the farmhouse would also conflict with LP Policy NBE8 which seeks amongst other things, to conserve or enhance heritage assets and their settings. The suggested conditions would not mitigate these harms, and as these harms would not be outweighed by public benefits, so the scheme would fail to accord with the Framework.

Habitat Sites

20. The site is within 5km of the Hook Common and Bartley Site of Special Scientific Interest which is part of the Thames Basin Heaths Special Protection Area (SPA). These sites are protected for their habitats including those that support important breeding populations of nightjar, woodlark and Dartford warbler. These birds are particularly vulnerable to predation and disturbance, and Policy NRM6 of the South East Plan (2009), and LP Policies NBE3 and NBE4 require that new residential development that is likely to have a significant effect on the ecological integrity of the SPA will be required to demonstrate that adequate measures are put into place to avoid or mitigate any potential adverse effects. The mechanisms for protecting these important habitat sites is also provided within these policies, including measures to avoid adverse effects on their integrity, contributions for strategic access, management and monitoring measures, and the provision of mitigation through the provision of suitable alternative natural greenspace (SANG).
21. Given the location of the proposed dwellings, future occupiers would be likely to impact upon these habitat sites having a significant effect upon their integrity. The Conservation of Habitats and Species Regulations (2017) (the Regulations) require the decision maker to undertake an Appropriate Assessment where there are likely to be significant effects from the proposal, either alone or in combination with other schemes, and this duty falls to me as the competent authority.
22. During the appeal process the appellant provided a signed and dated agreement to provide SANG and also a Unilateral Undertaking (UU) to provide contributions for avoidance and mitigation measures. Despite the UU and agreement, the Council consider the impact of the scheme on the habitat sites has not been fully mitigated. The UU would need to be amended to refer and link to the SANG arrangements, and an incorrect contribution amount has been cited. In addition, the UU incorrectly describes the proposed development. Having regard to these errors and omissions, the agreement and UU fail to secure mitigation to ensure that the integrity of the habitat sites is not harmed. In these circumstances it has not been necessary for me to undertake an Appropriate Assessment or address the matter further.

23. Consequently, the proposal would adversely affect the integrity of the Thames Basin Heaths habitat sites and this would conflict with requirements of the Regulations and also with those of the above referenced policies.

Planning Balance and Conclusion

24. The provision of two additional dwellings would result in social and economic benefits, but these modest benefits would not outweigh the significant harms to the character and appearance of the area, to the setting of the listed buildings, and to the integrity of the Thames Basin Heaths habitat sites. The adverse impacts arising from the proposal would significantly and demonstrably outweigh the aforementioned benefits, and the suggested conditions would not overcome these substantial harms. Thus, for the reasons given above and having considered all other matters raised, the appeal is dismissed.

J J Evans

INSPECTOR