
Appeal Decision

Site visit made on 18 July 2024

By David Spencer BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd August 2024

Appeal Ref: APP/H1705/W/24/3337422

41 Kingsclere Road, Overton, Hampshire RG25 3JB

- 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 & Mrs Grimes against the decision of Basingstoke & Deane Borough Council.
 - The application Ref 22/03418/FUL, dated 24 December 2022, was refused by notice dated 9 November 2023.
 - The development proposed is formation of a new vehicle entrance and erection of a detached dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matter and Main Issues

2. For the avoidance of doubt, the appellant amended the scheme in May 2023 to reduce the scale of the proposed dwelling. The LPA made its decision on these amended plans, and so have I.
3. The main issues in this appeal are as follows:
 - (i) The effect of the proposal on the setting of 41 Kingsclere Road, a Grade II listed building; and
 - (ii) The effect on the proposal on the character and appearance of the surrounding area.

Heritage

4. The heritage significance of No.41 Kingsclere Road derives principally from its survival as an example of a late Seventeenth Century or early Eighteenth Century rural cottage of a 3 cell hall and wing layout, constructed from vernacular materials including a thatched roof, flintwork, rendering and brick. The building has undergone a significant amount of recent renovation work, and a modest two storey extension has been added in 2015. The rural character and heritage of the cottage remains to be experienced from within Kingsclere Road and Northfield in large part due to the large verdant host plot, which forms the foremost immediate setting to the listed building.
5. In terms of the wider setting, the cottage at No.41 is situated where land rises from the valley floor of the River Test towards the rolling downs to the north. Whilst the original wider rural context in which the building was constructed has changed, including modern housing to the north along Kingsclere Road, at Northfield and at Foxdown, the listed building remains primarily experienced as

part of a verdant area with a looser pattern of development. This area between the highway entrance to Northfield and the parish church retains a strong sense of rurality within which the Listed Building is primarily experienced. This green gap has not been significantly altered by the recent housing on Foxdown to the east, which is extensively screened behind thick, mature hedging or the detached property at No.39 Kingsclere Road which is largely concealed within established grounds immediately to the south of the appeal site.

6. The appeal site benefits from an extant planning permission to construct a detached garage, with accommodation in the roofspace, and create a new vehicular access from Northfield¹. At my site visit I observed that preliminary works to form the new access have been initiated. The approved garage would be an ancillary building of a relatively plain and lowkey appearance. It would be experienced within Northfield as part of the wider plot at No.41, without visually competing with the listed building. In contrast the appeal proposal would imposingly subdivide the plot at a point relatively close to the listed building. The result would be a new residence with attendant separate domestic character, including paraphernalia and activity close to the Listed Building. The proposed subdivision of the host plot in this manner would harmfully reduce the remaining sense of rural spaciousness around the listed cottage building.
7. The proposed building would be of a moderately larger scale, and of an overt domestic appearance, compared to the approved garage. Additionally, in contrast to the proposed garage, which would be capable of accommodating vehicles, there would be a necessity in the appeal proposal to park vehicles between the proposed dwelling and the rural cottage. Overall, the proposal, in terms of its scale, design and layout would harmfully confine the cottage, eroding part of its wider rural setting. This would be keenly experienced when within Northfield and also in glimpsed views from within Kingsclere Road.
8. The appellant submits the boundary treatment could be sensitive to the context, but this would not overcome the spatial harm of subdividing the host plot to the listed building, which would be widely experienced from within Northfield. It would leave the rural cottage on a compromised smaller plot at odds with the prevailing pattern of spacious plots at this rural edge.
9. I therefore conclude that the appeal proposal would result in harm to the heritage significance of No.41 in terms of unacceptably eroding the setting of this surviving rural heritage asset. The proposal would be contrary to Policy EM10 of the Basingstoke & Deane Local Plan 2016 (the B&DLP) which requires amongst other things for development proposals to have due regard to the history of the surrounding area and the relationship to heritage assets. It would also be contrary to Policy EM11 of the B&DLP which requires all development to conserve or enhance the quality of the borough's heritage assets in a manner appropriate to their significance. Furthermore, the proposal would fail to accord with advice contained in the Local Planning Authority's (LPAs) Heritage Supplementary Planning Document 2019 on development within the setting of heritage assets.
10. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires me to pay special regard to the desirability of

¹ LPA Reference 21/03670/HSE

preserving a listed building or its setting. This is a stern test and as such it is incumbent that I attach considerable importance and weight to the harm that has been identified. The harm to the setting of the listed building would be less substantial and therefore paragraph 208 of the National Planning Policy Framework (NPPF) expects such harm to be balanced against the public benefits. The appeal proposal would provide an additional residential property in a sustainable location, which would be constructed to modern standards to be energy efficient and accessible to all. The delivery of an additional dwelling to these standards, would, however, only amount to limited social, economic and environmental benefits. The level of benefit identified would not be sufficient to outweigh the harm to heritage assets, which the NPPF identifies are an irreplaceable resource.

Character and Appearance

11. The appeal location is in a part of Overton, within the settlement policy boundary, where the prevailing residential character is one of detached dwellings set within spacious plots, as part of the transition at what is the rural edge to the cluster of settlement around the railway station. This includes the host property at No.41 and the original layout of large dwellings set within generous gardens at Northfield immediately to the north and west of the appeal site. Similarly, there is a large, detached property within extensive verdant grounds directly to the south of the appeal site. The appeal proposal would result in a conspicuously smaller plot at odds with this prevailing low density, edge of settlement character. The result, when taking into account the proposed parking arrangement and inevitable domestic paraphernalia, would be anomalously and unsatisfactorily cramped layout, harmfully jarring with the prevailing spacious character, particularly within Northfield.
12. Whilst the appeal site benefits from an extant planning permission to create a vehicular access from Northfield and the construction of a detached garage the proposed dwelling would be materially different in character and appearance. The consented garage would be intrinsically part of the wider spacious host plot, and so in contrast to the appeal proposal it would assimilate into the prevailing layout on Northfield where large ancillary detached double garages are a common feature. The proposed garage would not involve a conspicuous hiving off to form an incongruously smaller plot. Taking account of these material differences means the existing consent would be significantly less harmful on the character and appearance of this part of Overton. It does not therefore form a fall back or a basis to conclude that the appeal proposal would be acceptable with regards to this main issue.
13. The appellant has drawn attention to the dwelling constructed at No.43 Kingsclere Road, which forms the northern corner plot at the junction of Northfield and Kingsclere Road to the north of the Listed Building at No.41. This is a smaller dwelling compared to the scale of the adjoining larger houses on Northfield. In terms of the built morphology of this part of Overton, the smaller dwelling at No.43 has a stronger relationship to the linear pattern of development fronting onto Kingsclere Road north of Northfield. As such the dwelling at No.43 is predominantly experienced as part of the varied and occasionally tighter pattern of development on this part of Kingsclere Road. This is accentuated by its degree of separation from No.41 and other dwellings in Northfield by the intervening highway. As such I am not persuaded that No.43 should set the pattern of development at the appeal location which is

characterised by the spacious peripheral plots on Northfield and the larger plot containing No.41.

14. I therefore conclude that the appeal proposal would result in significant harm to the character and appearance of the surrounding area. Accordingly, it would be contrary to Policies EM1 and EM10 of the B&DLP, which require, amongst other things, that development proposals are sympathetic to the character and visual quality of the area concerned, respecting sense of place and existing street scene and have due regard to the density, layout and appearance of the surrounding area. There would also be a conflict with Policy LBE1 of the Overton Neighbourhood Development Plan 2016 which requires development proposals to conserve or enhance the character of the built environment. These policies are consistent with the NPPF which states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Consequently, the appeal proposal would conflict with paragraphs 131 and 135 of the NPPF including ensuring that developments function well and add to the overall quality of the area, are visually attractive as a result of good architecture and layout, are sympathetic to local character and history, including the surrounding built environment and maintain a strong sense of place.

Other Matters

15. I have observed the scheme at Goldfinch Cottage at 53 Newbury Road in Kingsclere which the appellant refers to, asserting an inconsistency in the LPAs approach to decision-making in respect of infilling within the setting of a Listed Building. I noted at the Kingsclere location the prevailing residential character on both sides of Newbury Road and the integration of the new dwelling into the established pattern and scale of housing development. As such there are material differences to the scheme before me. Accordingly, the Kingsclere example does not provide a justification for the proposed dwelling at the appeal location. Moreover, each development proposal must be considered on its own merits including, the distinctive heritage significance of the listed buildings and the particularities of their setting.

Conclusion

16. On the two main issues in this appeal, I have found harm and consequently a conflict with the development plan. Section 38(6) of Planning and Compulsory Purchase Act 2004 (as amended) states that applications for planning permission are required to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan policies cited in the LPAs decision are consistent with national planning policy and are to be considered up to date on that basis.
17. At the time the LPA made its decision it acknowledged that it could not demonstrate a five year supply of deliverable land and so for decision-making NPPF paragraph 11d) would be engaged. As part of its appeal submission, the LPA states that paragraph 226 of the December 2023 NPPF applies and as such the LPA can demonstrate a four year supply of deliverable land, such that paragraph 11d) would not be engaged. The LPAs evolving position on housing land supply and paragraph 11d) has not been disputed by the appellant. In any event, even if paragraph 11d) was engaged, under sub-part i) of the paragraph, the heritage harm identified would provide a clear reason for refusing the development proposed.

18. I have had regard to all other matters raised including the material considerations of the consented garage scheme and the limited benefits of delivering an additional dwelling in a sustainable location. These factors do not outweigh the conflict with the development plan and so I conclude the appeal should be dismissed.

David Spencer

Inspector.