



Appeal Decision

Site visit made on 3 February 2025

by **R J Redford MTCP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12 March 2025

Appeal Ref: APP/N1730/W/24/3351929

The Bungalow, Reading Road, Blackwater, Camberley, Hampshire GU17 0DS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Ms Sarah Blandford against the decision of Hart District Council.
 - The application Ref is 24/00217/FUL.
 - The development proposed is a replacement dwelling with consequential demolition of bungalow, barn, and glasshouse.
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Decision

1. The appeal is allowed, and planning permission is granted for a replacement dwelling and demolition of bungalow, barn and glasshouse at The Bungalow, Reading Road, Blackwater, Camberley, Hampshire GU17 0DS in accordance with the terms of the application, Ref 24/00217/FUL subject to the conditions in the attached schedule.

Procedural Matters

2. The description of development as shown on the decision notice and the submitted evidence has been used as this clearly defines what has been proposed.
3. The National Planning Policy Framework (the Framework) has been referred to by the main parties. However, since the submission of the appeal the Framework was updated in December 2024 and further amended in February 2025. Nevertheless, the sections pertinent to this appeal have not materially altered, so the revised version is referenced in this decision.
4. As the appeal site is larger than 1000sqm, constitutes the erection of a new building and is within a conservation area, regulation 5A of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended) required Historic England (HE) to be notified during the application stage. Although this was not done, it has been undertaken during the appeal process. HE has stated that they do not demur the Council's Conservation Officer's comments but have confirmed that HE would have declined to comment had they been consulted during the application process and do not feel they could add value at the appeal stage. The main parties have had opportunity to respond.

Main Issues

5. The main issues are the effect of the proposed development on the character and appearance of the area, and the extent to which it would preserve or enhance the character or appearance of Darby Green Conservation Area.

Reasons

Character and appearance

6. The appeal site is within an area known as Darby Green which is situated between the conurbations of Blackwater and Yateley. This area between the 2 towns is relatively verdant with pockets of low-density development interspersed between trees, fields, and open spaces.
7. One such pocket of development includes the appeal site and constitutes a number of residential dwellings on large plots which stretch from Reading Road to Stroud Lane. To one side there is woodland and to the other a large recreational field which borders the edge of Yateley. The dwellings in this pocket are individually designed and although a number are more closely aligned and face Reading Road, the others are more informally positioned with no strong building lines. Due to the size of the individual plots and the mature nature of their landscaping and boundary treatments, these properties are reasonably screened from the roads.
8. The appeal site is located between the properties facing Reading Road and those more informally positioned towards Stroud Lane. It currently includes a barn towards the Reading Road boundary, with a bungalow behind and further back into the site a derelict greenhouse. The boundaries of the site are tree lined and there are areas of mature planting throughout the site including along the boundary with Reading Road. This breaks up sight lines through the site from Reading Road, but the less densely planted boundaries mean there are clear views of the surrounding dwellings as well as the edges of Yateley across the recreational field.
9. The proposal would remove all the existing structures from the site and build a flat roofed, 2-storey dwelling. It would consolidate development in a location set back from the road and would be comparably located to the existing green house. The proposal would be finished predominantly in natural wood cladding with areas of brick work and green roofs. Hardstanding would be limited to an extension of the existing driveway, and a naturalistic setting for the new dwelling is proposed by retaining and enhancing much of the existing landscaping and screen planting and providing a paddock/meadow.
10. The Council consider the appeal site to be part of the open countryside, and within the development plan this maybe the case. However, through observations during the site visit it is clear there is a reasonable, albeit low density, level of development surrounding the site and there is an intervisibility between other buildings across all boundaries excepting that adjacent to the woodland. And these factors are important when considering the character and appearance of the immediate area which is that of sporadic development dispersed throughout a verdant backdrop.
11. Views of the appeal site are limited from Reading Road, surrounding footpaths and the adjacent woodland due to the boundary planting, the established screening planting throughout the site, and the density of the trees in the woods. However, the proposed removal of the existing buildings which are close to Reading Road, the retention of existing landscaping, trees and hedges, and the consolidation of development into one location would mean that the proposal's impact on views from the road and footpaths would not be harmful. The proposed use of a natural wood cladding on much of the new building would further reduce any visual potential intrusion when viewed against the wooded and landscaped backdrop.

12. This would also be the case for views across the recreational field where the boundary planting is less dense. The new building would be visible, but the proposed location and cladding would ensure it would not dominate, especially when viewed in the context of the other houses that surround the recreational field.
13. It is appreciated the modern form of the proposed new building would be different to the existing structures. However as there is no strong or defined housing type within this part of Darcy Green this would simply add to the mix of property styles.
14. In terms of the physical location of the proposed new building within the appeal site, it would reflect the more informal layout of the dwellings towards Stroud Lane. It is appreciated that the existing buildings are more related to the properties facing Reading Road. However, the proposal would have a positive impact on the overall verdant character of the road by removing the existing buildings and retaining and enhancing the existing boundary planting. Therefore, although it would be located differently in the site to the existing buildings, it would sit comfortably within the surrounding development and the reduction in built mass across the site would provide a similar level of openness as there is currently. As the proposal would also constitute a replacement dwelling it would not alter the intensity of the existing use in terms of onsite activity.
15. The proposal would therefore not harm the character and appearance of the area and specifically would have a positive impact on the verdant character and appearance of Reading Road. It would comply with Hart Local Plan (Strategy and Sites) 2032 (LPSS) Policy NBE9, Saved Policy GEN1 of the Hart Local Plan (Replacement) 1996 – 2006 (LPR), and Policy YDFNP4 of the Yateley, Darby Green & Frogmore Neighbourhood Plan 2020 – 2032 (NP) insofar as they require new development to be in keeping and positively respond to local character and the overall appearance of an area.

Darby Green Conservation Area (CA)

16. As the proposal is in a conservation area, section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (the Act) requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of that conservation area. This duty is supported by LPSS Policy NBE8, LPR Policy GEN1, and NP Policy YDFNP6, insofar as they seek the conservation and enhancement of the historic environment including conservation areas.
17. Beyond the general verdant character and appearance of the immediate area the CA is dominated by common land which is largely wooded, with residential dwellings grouped in small enclaves and scattered throughout. The significance of the CA is that it reflects the traditional settling of this lowland heath area within the ancient field patterns. Characteristically the old field boundaries are retained as traditional hedges and ditches and dwellings do not dominate the area but rather integrate with their surroundings and the traditional form of the small settlement.
18. The appeal site is referenced within the CA Proposal Statement. However, this is largely descriptive and emphasises the properties qualities in terms of blending into the rural scene. It does not specify that the existing buildings are of any importance to the significance of the CA.

19. As set out in the first main issue the proposal would enhance the setting of Reading Road and improve its verdant character. It is appreciated that the boundary and access treatment would need to be carefully detailed to ensure this enhancement to the CA is optimised, and this could be conditioned.
20. The proposal would not be visually dominant, although it would constitute change. This is because it would retain the openness of the site by consolidating development on the appeal site. It would be a modern interpretation of a traditional home which would not be out of character when compared to the surrounding properties, and with materials and landscaping conditioned, the high-quality detailing of the design can be controlled. The proposed new building would therefore integrate into its surroundings and so preserve the character and appearance of the CA.
21. During the site visit, it was observed that the appeal site is separated from the adjacent paddock by a ditch and hedge. Although the historic provenance of this feature has not been ascertained, the proposal does not seek to amend or alter it, and its retention could be secured as part of a landscaping scheme condition.
22. The Council's Conservation Officer highlighted concerns relating to the pitch of the roof and material choices. It is not disputed that other forms of design may be appropriate for this location. However, for the reasons set out above the proposed new building would represent a complete and contemporary design which would preserve the character and appearance of the CA, and the removal of the existing buildings would enhance it.
23. As such the proposal would preserve the character and appearance of the CA in compliance with the Act and LPSS Policy NBE8, LPR Policy GEN1, and NP Policy YDFNP6.

Other Matters

24. The appeal site falls within the 400m exclusion zone from the Thames Basin Heaths Special Protection Area (SPA). Regulation 63 of the Conservation of Habitats and Species Regulations 2017 requires an appropriate assessment to ensure that the development would not adversely affect the integrity of the SPA. Natural England concluded that as the proposal would constitute a replacement dwelling, it is unlikely to adversely affect the integrity of the SPA and there is nothing before me to conclude otherwise. However, a condition for the demolition of the existing dwelling prior to occupation of the proposed new dwelling could ensure this.
25. No harm was identified in relation to public rights of way, the living conditions of neighbours and occupants, access, parking, cycle and waste storage, flooding and drainage, biodiversity, trees, and energy efficiency. However, a lack of harm, by definition, cannot weigh for or against the proposal.
26. Notwithstanding the above it is noted that the appellant considers that the garage could be used for cycle storage. However, with the space allocated on the plans being inaccessible when the garage is used for parking, it would be necessary to condition further details to ensure usable and adequate cycle storage can be provided.

27. It is appreciated the appeal scheme has been developed post pre-application advice¹ from 2014 and a previously refused planning application² in 2023. Notwithstanding that the pre-application advice was issued prior to the adoption of the LPSS, it constitutes the individual professional opinion of that planning officer. A Council is not bound to accept the recommendations or advice of its officers and is required to deal with each application on its own merits. The appellant further considers that the Council have not acted positively and proactively in dealing with the application. If this is the case, it is unfortunate but does not impact the planning merits of the proposal.

Conditions

28. The Council and its consultants have suggested numerous conditions which have been considered against the Framework and Planning Practice Guidance. As a result, I have simplified some conditions and amended others for consistency and clarity. I have also added an implementations clause to condition 5.
29. In addition to the standard time limit condition 1, condition 2 requires the development to be carried out in accordance with the approved plans and conditions 3 and 4 ensure compliance with submitted arboricultural and drainage details, to provide certainty in terms of what has been approved.
30. Condition 5 is imposed to limit the impact of construction and demolition on neighbouring residents and the local environment and ecology. Condition 8 is required to mitigate against harm to bats, a protected species, and condition 10 to protect the SPA as set out in paragraph 24.
31. Conditions 6, 7, 10 and 14 are imposed in the interest of the character and appearance of the area and CA, as set out in the main issues. Condition 14 is also necessary to ensure highway safety and safe access into and out of the site, along with conditions 9 and 11. And condition 11 along with condition 12 would secure appropriate parking and cycle storage provision for future occupants. Condition 13 will ensure the water efficiency of the development aligns with LPSS Policy NBE7.
32. As it is fundamental to have the details within conditions 5 and 6 agreed prior to any works commencing on the appeal site, the Appellant has agreed to these conditions being pre-commencement.

Conclusion

33. For the reasons given above the appeal scheme would comply with the development plan when read as a whole and there are no sufficiently weighted material considerations, including the Framework, which would indicate a decision otherwise. The appeal is, therefore, allowed.

RJ Redford

INSPECTOR

¹ KECR/14/00949/PREAPP

² 22/02823/FUL

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos: 2208/ST.01; 2208/ST.03 Revision B; 2208/ST.04 Revision A; 2208/GA.1; 2208/GA.12; 2208/GA.13; 2208/GA.14; 2208/GA.15; 2208/GA.16; 2208/GA.17; and 2208/GA.18.
- 3) The development hereby permitted shall be carried out in accordance with the details set out in the Arboricultural Implications Assessment and Arboricultural Method Statement (written by RMTTree Consultancy Ltd, Ref: RMT772, dated: November 2022).
- 4) The development hereby permitted shall be carried out in accordance with the details set out in the Flood Risk Assessment and Drainage Strategy – Land at the Bungalow GU17 0DS (written by Stephen Blandford, Document Version: 2, dated: 28 December 2023).
- 5) No development, including demolition, shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include but is not limited to:
 - measures to control the emission of dust during demolition and construction; and
 - a scheme for disposing and managing waste resulting from demolition and construction works.

The approved CEMP shall then be adhered to throughout the demolition and construction period of the development.

- 6) No development shall take place until a scheme of hard and soft landscaping has been submitted to and approved in writing by the local planning authority. The details shall include but are not limited to:
 - the existing trees and hedgerows to be retained;
 - any additional planting, seeding, or turfing;
 - boundary treatments and any means of enclosure;
 - hard surfacing materials;
 - renewable energy installations where relevant;
 - an implementation schedule; and
 - maintenance programme.

The scheme shall then be implemented in accordance with the approved implementation schedule and thereafter managed in accordance with approved maintenance programme.

- 7) No development above ground level shall take place until details and samples of all external facing materials have been submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with the approved details.

- 8) The new dwelling hereby permitted shall not be occupied until the recommendations set out in the Updated Bat Survey Report (written by Indigo Surveys, Ref: 221115/E3, dated: August 2023) have been completed.
- 9) The new dwelling hereby permitted shall not be occupied until 2 metres by 59 metres visibility splays have been provided in both directions from the carriageway level of Reading Road. The visibility splay shall thereafter be retained.
- 10) The new dwelling hereby permitted shall not be occupied until the existing buildings (shown as red dashed lines on plan 2208/ST.03 Revision B) have been demolished and all resultant materials removed in accordance with the CEMP approved under condition 5.
- 11) The new dwelling hereby permitted shall not be occupied until the garages, parking and driveway have been completed. These facilities shall then be kept available for the parking and manoeuvring of vehicles by the occupants of the new dwelling and their visitors.
- 12) The development hereby permitted shall not be occupied until cycle storage facilities have been installed in accordance with details that shall first have been submitted to and approved in writing by the local planning authority. Those facilities shall thereafter be always retained for the storage of cycles.
- 13) The development hereby permitted shall not be occupied until the Building Regulations optional requirement of a water consumption rate of no more than 110 litres per person per day has been complied with.
- 14) Any vehicle access gates or barriers shall be installed in accordance with details, including their design, materials, and location within the site, which have first been submitted to and approved in writing by the local planning authority. These details shall include but are not limited to:
 - design;
 - materials; and
 - location within the site to be no less than 6 metres from the nearside edge of the carriageway of Reading Road.

The access gates or barriers shall then be retained in accordance with the approved details.

END OF SCHEDULE