
Appeal Decision

Site visit made on 17 December 2018

by S Edwards MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 January 2019

Appeal Ref: APP/X1735/W/18/3205074
70 Havant Road, Hayling Island PO11 0LH

- 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 Mr Jeff Mould and Mr Ken Muddle against the decision of Havant Borough Council.
 - The application Ref APP/18/00300, dated 15 March 2018, was refused by notice dated 14 May 2018.
 - The development proposed is erection of one four bedroom two storey detached house with attached garage.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The revised National Planning Policy Framework (the Framework) published on 24 July 2018 sets out the Government's planning policies for England. Policies within the Framework are material considerations which should be taken into account for the purposes of decision-making from the date of its publication. The parties were given the opportunity to comment on this matter, and I have had regard to the revised Framework in determining this appeal.

Main Issue

3. The main issue is the effect of the proposal upon the character and appearance of the area, including the setting of the Grade II Listed Buildings.

Reasons

4. No 70 Havant Road (no 70), lies within an area of predominantly residential character located in a semi-rural setting. Properties are typically set either side of the main road, and follow a linear pattern of development. The appeal site currently forms part of the garden of no 70, otherwise known as Cottrell Farmhouse. This is a Grade II listed property dating from the 18th century which, according to the listing description, is characterised by its rich architectural detailing. The garden, situated to the side and rear of the listed property, is largely screened from the road by the existing boundary fence and mature landscaping.
5. From the evidence before me, I consider that the significance of this designated heritage asset does not solely derive from its architectural interest, but also from the spaciousness and openness of the plot in which the building

is experienced. The group value of no 70, together with the Grade II listed Granary and converted barns, adds to the historic significance of these designated heritage assets.

6. The Glossary to the Framework defines setting as 'the surroundings in which a heritage asset is experienced'. The setting to Cottrell Farmhouse includes the garden area, which the appeal site forms part of, but also the open land which surrounds it. These contribute positively to the setting of this Grade II Listed Building, particularly as they act as a reminiscence of the agricultural past of the farmstead, which would have necessitated land in close proximity to the farm buildings. By retaining a degree of physical separation between no 70 and subsequent forms of residential development, the appeal site enables the former farmstead to be appreciated in the context of spacious and open surroundings, thereby preserving the secluded agricultural setting of the building.
7. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 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.
8. Despite the setback from the road frontage, the proposal would appear unduly prominent and visually intrusive, by reason of its excessive scale and bulk. The harm caused by the proposal would be exacerbated by the inappropriate design approach of the dwelling. The barn-style appearance of the proposal would do little to reduce the size, scale and mass of the building, resulting in a form of development which would fail to complement and remain subservient to the Grade II listed property. The effect of the proposal upon the setting of the listed granary would be limited, by reason of the existing screening.
9. The proposal would erode the contribution which the appeal site currently makes to the setting of no 70, but also to the character and appearance of the street scene. The removal of the vegetation which is required to provide an additional vehicular access would inevitably reveal the presence of the proposed dwelling within the street scene which, in the context of this historic setting, would appear as an incongruous feature. It would introduce a suburban form of residential development, to the detriment of the character and appearance of this semi-rural area. In addition, as pointed out by the Inspector who dismissed the previous appeal¹, the proposal would not accord with the linear pattern of development which defines this area, by reason of its significant setback.
10. Whilst the proposal includes new planting to soften the visual impact of the proposal, these would inevitably take time to mature. Additionally, soft landscaping could not be guaranteed to be retained or maintained in the long term. In any event, soft landscaping would not provide sufficient justification to outweigh the harm caused by the proposal.
11. The proposed development would therefore fail to preserve the setting of no 70, and to a lesser degree the granary, to the detriment of the significance of these Grade II listed buildings. Given the presumptive desirability of preserving heritage assets and their settings, this must be given considerable importance

¹ APP/X1735/W/17/3182723

and weight. The harm caused by the proposal would, in this instance, be less than substantial. In accordance with paragraph 196 of the Framework, where a development would lead to less than substantial harm, it needs to be weighed against the public benefits of the proposal. Whilst the proposal would make a modest contribution to local housing supply and choice, the harm to the setting of the heritage assets would clearly outweigh these benefits.

12. My attention has been drawn to pre-application correspondence that was held between the appellants and the Council. However, such correspondence is not binding on the Council and I have, in any event, considered the appeal scheme on its own merits. The appellants have also mentioned old Ordnance Survey maps, which appear to show that there once was a small outbuilding on the proposed site. In the absence of further evidence to support this argument, I consider that this carries little weight.
13. I conclude that the proposal would harm the character and appearance of the area, and fail to sustain or enhance the setting, and thereby the significance, of the designated heritage assets. It would therefore not comply with Policies CS11 and CS16 of the Havant Borough Core Strategy (March 2011). These policies notably seek to protect and enhance the historic environment and ensure that new development is designed to a high standard. It would also fail to accord with Policy DM20 of the Havant Borough Local Plan – Allocations (July 2014), which requires development proposals to conserve and enhance the Borough's historic assets.

Other Matters

14. The appeal site lies within proximity of the Chichester and Langstone Harbours Special Protection Area. Both parties agree there is a need to contribute towards mitigation measures due to the potential adverse impact that residential development may cause to habitats sites. The Council has confirmed that the required contribution has been paid, in accordance with Policy DM24 of the Havant Borough Local Plan – Allocations. As I am dismissing the appeal on other substantive grounds, this is not a matter which needs to be considered further here.

Conclusion

15. For the reasons detailed above, and having regard to all matters raised, the appeal is dismissed.

S Edwards

INSPECTOR