
Appeal Decision

Site visit made on 7 November 2017

by R J Marshall LLB DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 12 January 2018

Appeal Ref: APP/X0360/W/17/3180148

Pool Court, Thames Street, Sonning, RG4 6UR

- 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 Adrian Pead against the decision of Wokingham Borough Council.
 - The application Ref 171171, dated 18 April 2017, was refused by notice dated 13 June 2017.
 - The development proposed is demolition of existing dwelling and proposed new build dwelling and garage annex.
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Decision

1. The appeal is dismissed.

Background

2. The appeal site is within the small riverside village of Sonning, and within the Sonning Conservation Area. Currently on site is a bungalow known as Pool Court. It is proposed that this bungalow be demolished and replaced by a new dwelling and garage annex.

Main Issues

3. The main issues in this appeal are: **first**, whether Pool Court is a non-designated heritage asset (NDHA) on which harm would be caused; **second**, the effect of the proposed development on the character and appearance of the Sonning Conservation Area; and **third**, its effect on matters of nature conservation importance.

Reasons

Whether there would be harm to a non-designated heritage asset

4. Pool Court is not a listed building and is not referred to in the Sonning Parish Design Statement. The Draft Sonning Conservation Area appraisal contains a local list of Buildings of Traditional Local Character. I note the appellant's concern that Pool Court is not on that list. However, it is in that Appraisal on a list of positive buildings enhancing character. Moreover, on a full reading of Government Guidance on Conserving and Enhancing the Historic Environment it is clear that there is nothing to prevent at any stage consideration being given as to whether a building may be regarded as a NDHA.

5. The National Planning Policy Framework (the Framework) identifies a heritage asset is being "A building... identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest". Factors that may be taken into account in assessing the heritage interest in a building include matters of architectural interest.
6. The appellant sees little merit in Pool Court. However, it is listed in Pevsner's Buildings of England as a single storey brick building with steep Lutyen-ish roofs. It was built in 1979 and designed by the architect Francis Pollen.
7. Historic England did not wish to offer any comments on the application, but suggested to the Council that it sought the views of specialist conservation advisers. Substantial information has been supplied on the architect Francis Pollen and Pool House by, amongst others, the Twentieth Century Society.
8. The Twentieth Century Society says that the demolition of Pool House would result in the loss of a distinctive building designed by an important nationally renowned architect. It describes Francis Pollen as having been influenced by both Lutyens and Frank Lloyd Wright and that his work frequently reads as an amalgam of their work. It is said that this can be seen in Pool Court which employs a Lutyens like roof form, steep with sprocketed eaves and yet with a plan form which is essentially modern, including corner windows favoured by Frank Lloyd Wright. It is the view of the Twentieth Century Society that these architectural "languages" have been combined skilfully in a way which could still inform designers now.
9. All that I saw of Pool House, with its simple plan form, steeply pitched hipped roofs and attractive full-length corner windows, together with a restrained use of materials support the observations made by the Twentieth Century Society. Pool House is a most attractive dwelling with an interesting and well resolved mix of architectural styles. It is, moreover, a dwelling which, with its restrained single-storey appearance and being well set back on its plot, is in harmony with its wider setting on a slope leading up from the River Thames. In light of the foregoing I consider Pool House as lying between moderate to considerable significance and clearly meriting being regarded as a NDHA. As the proposal involves the demolition of Pool House the harm to the NDHA can only be regarded as substantial.
10. It is concluded that Pool House is a NDHA of between moderate to considerable significance on which substantial harm would be caused. Although no development plan Policies specifically relating to this point have been identified this would be contrary to Government Policy.

Effect on Sonning Conservation Area

11. Sonning is an attractive Thames riverside village with its main street running downhill towards the river in a roughly east-west alignment. The older parts of the settlement, with its attractive cottages close to the highway, are aligned along this road and some of the roads to the south. To the north of the main street in the vicinity of the appeal site and towards the River Thames is an area of lower density, and in some cases more modern, dwellings.
12. The Conservation Area boundary includes most of the built-up part of the village and also the surrounding countryside including down to the banks of the River Thames. In terms of its size the proposed dwelling would not look

overlarge in relation to other properties in the vicinity. However, this is not the only consideration to take into account. Although it would be well screened by substantial vegetation and existing houses in some respects the proposed development would, on rising ground from the River Thames, be clearly visible from the river tow path. Although having a footprint no larger than the existing bungalow the proposed dwelling, even though partially sunken, would be a much more substantial property given its increased height and bulk. Thus even though seen against a backdrop of trees, and being on a plot of substantial size, the proposed house would intrude far more upon views from the tow path over rising open countryside towards the appeal site. Photographs supplied by the appellant bear this out. This would be to the detriment of the current attractive rural backdrop to the River Thames.

13. Thus the proposed house would harm the character and appearance of the Conservation Area. Harm would also arise to this area from the demolition of Pool Court. For this would result in the loss of a building particularly pleasing to the eye within this part of the Conservation Area and one that fits in well with its setting. The proposed dwelling, although of a not unappealing design, would not have the same architectural distinction as the building that would be lost.
14. The visual impact of the proposed annex would be more localised. Without more substantial evidence I am not convinced that it would impact unduly on the wider area. However, this does not reduce my concerns on the impact of the proposed dwelling.
15. The appellant seeks to make some comparison between this proposal and the Bishop Close development a considerable distance from the appeal site. However, this development was for an award winning house lower than the dwelling it replaced and of a notably good quality design. Given this, and the potential screening available, the effect of this building is far more benign than would be the proposed development.
16. It is concluded that the loss of the existing house, and the erection of the proposed dwelling, would harm the character and appearance of the Sonning Conservation Area. The degree of harm cannot be categorised as substantial in the terms of the Planning Policy Guidance (PPG) on enhancing the historic environment as the bar to be reached for such harm is such that it may not arise in many cases. However, in this prominent location considerable weight should be attached to the failure to meet the statutory duty to preserve or enhance the character or appearance of the Conservation Area. There would be conflict with Policies CP3 and TB24 of the Council's Adopted Management Delivery Local Plan (LP) which seek to ensure that new development is of an appropriate scale and protects designated Heritage Assets.

Matters of nature conservation importance

17. The Council is concerned that the proposed development could give rise to harm to bats. It notes that the site is surrounded by habitat of high suitability for use by foraging and commuting bats and that the removal of the building and several trees would be likely to impact upon features potentially suitable for roosting bats. It is also concerned that the site falls just 50 m north of a local Great Crested Newt (GCN) consultation zone and that there are at least 2 ponds within 250 m of the appeal site. It says that it needs to be established whether areas of grassland which would be lost from the construction of the new buildings is a GCN habitat that would be adversely impacted upon. It also

considers that the grassland on the site may be suitable for use by reptiles. In the absence of any ecological surveys it considers that the applicant has failed to demonstrate that the proposed development would not result in an adverse impact on protected species. All that I saw supports the Council's concerns.

18. The appellant accepts that surveys would need to be carried out. However, he considers that they may be required by condition on any permission.
19. The presence of a protected species is a material consideration in the determination of a planning application. Circular 06/2005 on Biodiversity and Geological Conservation says that it is essential that the presence or otherwise protected species, and the extent to which they may be affected by the proposed development, is established before permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. It goes on to say that the need to ensure that ecological surveys are carried out should, therefore, only be left to coverage by planning conditions in exceptional circumstances. No such circumstances have been put to me.
20. It is concluded that it is not been demonstrated that the proposed development would not result in an impact on protected species. This will be contrary to LP Policy CP3 would cease to ensure that sites can continue to support protected species.

Other matters

21. Given the distance of other dwellings from the proposed development and the degree of screening afforded no unacceptable harm to living conditions would arise through loss of light or visual impact. Nothing that I saw suggested that the access to the site could not accommodate traffic from a larger development or that there would be a danger to highway safety and there is no professional/technical evidence provided for a contrary view.

Weighing harm against benefits

22. Although finding no harm on the "other matters" above I have found substantial harm in relation to the 3 main issues. The proposed development would give rise to greater accommodation space than currently provided and is said to be more suitable for modern living. However, I have no reason to suppose that Pool Court could not be sensitively updated, a point held by the Twentieth Century Society.
23. The proposal would not be sustainable development in terms of the Framework and would be contrary to the development plan read as a whole.

Conclusion

24. For the reasons above it is concluded that the appeal should be dismissed.

R J Marshall

INSPECTOR