
Appeal Decision

Site visit made on 24 October 2016

by Grahame Gould BA MPhil MRTPI

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

Decision date: 14th November 2016

Appeal Ref: APP/J1915/W/16/3154728

Priory Farm House, High Street, Widford, Hertfordshire SG12 8RA

- 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 George Julian John Pawle and Ms L M Thursfield against the decision of East Hertfordshire District Council.
 - The application Ref 3/16/0325/FUL, dated 1 February 2016, was refused by notice dated 21 April 2016.
 - The development proposed is demolition of existing barn, reconstruction of barn, new gravel driveway and new post and rail fence.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the development would be appropriately located, with particular regard to the effect on the character and appearance of the area, including the Widford Conservation Area (the CA).

Reasons

3. The development includes the demolition of a barn, which has already been removed, the 'reconstruction' of a barn and the formation of a gravel drive, which would delineated by verges planted with hedging and post and rail fencing. The site forms part of a paddock, which is to the south of Priory Farm House (the house), a grade II listed building, and is east of a farmyard that is currently being redeveloped for residential purposes (the residential scheme). The paddock is situated towards the eastern extremity of the Widford CA, which is predominantly residential in character. There is an east/west public right of way passing to the south of the paddock and this would act as the link between the drive and Hunsdon Road.
4. The barn's use would be associated with the keeping of horses in the paddock. The drive would provide access to the house and would be an alternative to the courtyard access route that would be retained in association with the residential scheme. This courtyard access being the subject of a right of way that has been granted to the occupiers of the house¹.
5. The paddock forms part of the undeveloped edge to Widford and it would appear historically that the house has always been accessed via the farmyard,

¹ First paragraph in section 4 of the appellants' appeal statement

given the absence of an access to this dwelling via Hunsdon Road or High Street. The formation of the access and the installation of the associated fencing would give rise to some urbanising encroachment into the paddock. While I appreciate that hedge planting would be provided on both sides of the drive, that planting, when combined with the fencing, would introduce a formality of hard and soft landscaping into the area and this would be unrepresentative of and harmful to the area's appearance.

6. The formation of the drive would require the removal of a Field Maple, and while this tree by itself is not of a particularly high quality, it nevertheless forms part of a hedgerow and contributes to the overall quality of this hedge. The removal of this tree would therefore add to the harmful appearance of the development.
7. I find that the development would be harmful to the character and appearance of a field that is free from built development. As this field forms part of the eastern margin of the CA, which is free from built development, the development would neither preserve nor enhance the character or appearance of the CA.
8. The barn would be modest in scale and it would have a quite functional design. However, this building would be largely screened from view by the retained hedgerow and would be a replacement structure. I therefore find that the barn would be an appropriate form of development for this location and that its provision would preserve the CA's character and appearance.
9. The drive and barn would be sufficiently distant from both the house and the House of Orange, the latter being another grade II listed building, for this development not to impinge directly upon the settings of either of the listed buildings. The settings of the listed buildings would therefore be preserved.
10. For the purposes of Policy GBC3 of the East Herts Local Plan Second Review of 2007 (the Local Plan) the site lies within the open countryside, where new development is generally discouraged unless it comes within the scope of exceptions identified in this policy. I consider that only exceptions (b) and (h) of Policy GBC3 are relevant to this case. Exception (b) relates to development relating to small scale outdoor recreation activities and is applicable to the replacement barn. The drive comes within the scope of being considered under exception (h), namely development of 'other essential small scale facilities, services or uses of land which meet a local need, are appropriate and which assist in rural diversification'.
11. It is submitted that the occupiers of the house require an alternative to the courtyard access route. However, no evidence has been provided demonstrating that the courtyard access route would either be physically unavailable or would be an impractical one. I therefore consider that the submitted evidence does not show that there is a needs justification for the drive's provision or that it would fulfil a local community need.
12. I am also not persuaded that there would be any particular benefit to the occupiers of the residential scheme, in terms of safeguarding their living conditions, as a consequence of diverting the vehicle movements associated with the house's occupation. This is because the house, as a single dwelling, would be unlikely to generate volumes of traffic that would be cause disturbance to the occupiers of the new dwellings.

13. For the reasons given above I have found that the formation of the drive and the associated boundary treatment works would be harmful to the character and appearance of the countryside, while failing to preserve or enhance the character or appearance of the CA. The development would therefore conflict with Policies ENV1, ENV11 and BH6 of the Local Plan, in that it would have an adverse impact on the character and appearance of open land and involve some tree/hedgerow loss that is contributing to the character and appearance of the CA. There would also be conflict with Policy GBC3 of the Local Plan insofar as it has not been demonstrated that the drive's provision would involve a use of land that would fulfil an essential use of land necessary to meet a local need.
14. I consider the harm to the CA would be less than substantial when considered within the context of paragraphs 133 and 134 of the National Planning Policy Framework. However, there would be no public benefits arising from the development outweighing the harm to the CA that I have identified.

Other Matter

15. I accept that the development would have no adverse effect on the living conditions for neighbouring occupiers. However, this would be a neutral effect and is something that I find to be outweighed by the harm that I have identified.

Conclusions

16. While I have found that the replacement barn would be of an acceptable appearance, the provision of the new drive would be harmful to the character and appearance of the area. I therefore conclude that the appeal should be dismissed.

Grahame Gould

INSPECTOR