

Appeal Decisions

Site visit made on 18 May 2017

by R Barrett BSc (Hons) MSc Dip UD Dip Hist Cons MRTPI IHBC

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

Decision date: 7th June 2017

Appeal Ref: APP/J1915/W/17/3170836

Shipwrights Cottage, Baldock Road, Cottered SG9 9QN

- 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 A Playle against the decision of East Hertfordshire District Council.
 - The application Ref 3/16/2585/HH, dated 18 November 2016, was refused by notice dated 20 January 2017.
 - The development proposed is described as 'proposed single storey rear extension'.
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Appeal Ref: APP/J1915/Y/17/3170808

Shipwrights Cottage, Baldock Road, Cottered SG9 9QN

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr A Playle against the decision of East Hertfordshire District Council.
 - The application Ref 3/16/2586/LBC, dated 18 November 2016, was refused by notice dated 20 January 2017.
 - The works proposed are described as 'proposed single storey rear extension'.
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Decisions

1. The appeals are dismissed.

Procedural Matter

2. Appeal A and Appeal B relate to the same site. Whilst I have considered each proposal on its own merits, given that they have much in common, and in the interests of brevity, I have dealt with them in one document.

Main Issues

3. Whether the proposed extension would :
 - preserve or enhance the character or appearance of the Cottered Conservation Area;
 - preserve the special architectural or historic interest of Shipwrights Cottage, a grade II listed building and its setting; and
 - affect the living conditions of the neighbouring occupiers at Shipwrights, with regard to outlook.
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Reasons

4. The appeal site includes a semi-detached listed dwelling. It was originally built as one dwelling which included its neighbour, Shipwrights. The appeal dwelling includes a timber framed historic core, with cross wings at either end. Shipwrights Cottage has been altered and added to, particularly at the rear. Its timber frame, historic fabric, simple linear form and prominent roof, together with its close relationship and general similarity to its neighbour, all contribute to its significance as a heritage asset.
5. It has a large rear garden with planting and greenery to its front and rear, which gives it a generally rural setting. This, together with its close relationship to its neighbour, contributes to its significance as a heritage asset.
6. The Conservation Area includes the heart of Cottered. Although it includes a mix of uses, it is predominantly residential. Although buildings vary in design, style and age, many are historic. They generally line the main roads, set out in an informal layout, with large gardens. Trees, planting and green space give the Conservation Area a rural, spacious and green character and appearance, to which the appeal site positively contributes.
7. The appeal development and works would be large in relation to the historic core of the dwelling, such that they would appear out of scale with it. The proposed addition would extend some way from the rear elevation of the main house and its floorplan would be at odds with the simple linear floorplan of the historic core. It would obscure most of the rear elevation of the main house which would diminish its architectural and historic interest. Further, its design, which would include a large flat roof, would appear out of place with the prominent pitched roofs of the rest of the appeal house. Moreover, the inclusion of large areas of glazing would be out of place when seen with the more solid elevations with small window openings of the rest of the appeal building. For all of these reasons, it would unacceptably detract from the listed building. It would erode the similarity between the two attached listed buildings, which would adversely affect the setting of the appeal building.
8. I have found that the appeal proposals would result in unacceptable harm to the appeal building and its setting. I have also found that the appeal building positively contributes to the character and appearance of the Conservation Area. Therefore, it follows that the appeal proposals would fail to preserve the character and appearance of the Conservation Area.
9. In coming to these conclusions, I have taken account of the extant listed building consent and planning permission for a single storey addition¹. However, those were for a smaller extension, with a different form. I appreciate that the appeal proposals would improve on some of those design elements, particularly the glazed roof lantern. However, overall, I consider that they would result in greater harm to the heritage assets identified.
10. I conclude that the appeal proposals would fail to preserve the special architectural or historic interest of the listed building and its setting and would fail to preserve the character and appearance of the Conservation Area. The appeals would therefore be contrary to the East Herts Local Plan Second Review (2007) Policies ENV1, ENV5, ENV6, and BH6. Those policies, together,

¹ 3/15/0860/HH and 3/15/0861/LBC

aim for a high standard of design and layout to reflect local distinctiveness in extensions and new development that is sympathetic to the general character and appearance of conservation areas. It would also fail to accord with section 12 of the National Planning Policy Framework (the Framework), which aims to conserve and enhance the historic environment.

Living Conditions

11. The appeal proposals would be very close to the neighbouring property, Shipwrights. I note that there is a fence and planting dividing the appeal site and Shipwrights. However, even though single storey, the excessive size of the proposed extension so close to that property would render its bulk dominant in views from it. My concern is the outlook from the ground floor nearest windows, both of which serve habitable rooms, in which the appeal development would appear overbearing. The extant planning permission and listed building consent² was for a smaller extension that would be less dominant as viewed from the neighbouring property.
12. I conclude that the appeal proposals would unacceptably adversely affect the living conditions of neighbouring occupiers at Shipwrights, with regard to outlook. They would therefore fail to accord with LP Policy ENV1. That policy seeks development that would respect the amenity of occupiers of neighbouring buildings. I have noted emerging East Herts District Plan Policy VILL 2, but that document is not adopted, which reduces the weight that I accord it in making my decision.

Public Benefits

13. In accordance with paragraph 132 of the Framework, I accord great weight to the conservation of designated heritage assets. I consider that the harm to the significance of the listed building and the Conservation Area would be less than substantial; a matter to which I attach considerable importance and weight. However, in this case, no public benefits, as identified in paragraph 134 of the Framework, are before me, sufficient to outweigh that harm. In coming to this conclusion, I have had regard to the provision of better living space for the current and future occupiers.

Other Matters

14. I have noted the appellant's concern regarding the way in which the Council dealt with the appeal applications. However, that is a matter between the appellant and the Council in the first instance and has not affected my decision.
15. In coming to these conclusions, I have had regard to the views of another Inspector in determining an appeal for different extensions at the appeal site³. However, that was for different development and works, which differentiates that decision from the appeals before me.

² 3/15/0860/HH and 3/15/0861/LBC

³ APP/J1915/A/03/1126137

Conclusions

16. For the above reasons, and taking all other matters raised into consideration, including some support, I conclude that both appeals should be dismissed.

R Barrett

INSPECTOR