



Appeal Decision

Site visit made on 7 August 2017

by Jonathan Manning BSc (Hons) MA MRTPI

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

Decision date: 16 August 2017

Appeal Ref: APP/J1915/D/17/3178451

14a Northgate End, Bishops Stortford, CM23 2EU

- 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 Mrs Jill Jones against the decision of East Hertfordshire District Council.
 - The application Ref 3/17/0297/HH, dated 7 February 2017, was refused by notice dated 18 April 2017.
 - The development proposed is demolition of existing garage and erection of new garage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issue of the appeal is whether the proposal would preserve or enhance the character or appearance of the Bishop Stortford Conservation Area.

Reasons

3. The appeal site is located on Northgate End and currently accommodates a detached dwelling and its generously sized curtilage. I observed that the rear curtilage of the host dwelling falls in level from west to east by over 2 metres. The appeal site falls within the Bishop Stortford Conservation Area (the Conservation Area). The surrounding area has a mix of uses, but the area closest to the appeal site is predominantly residential. This includes what appears to be a relatively new development at Yew Tree Place. It was clear from my site visit that there is a mix of dwelling types and architectural styles in this part of the Conservation Area. However, despite this variation, most buildings have a relatively traditional and simple appearance, with relatively shallow pitched or hipped roofs. In addition, where ancillary buildings are visible in the wider area, they generally appear subordinate to the host dwelling.
4. The appeal site includes an existing double garage that sits on the lower ground at the end of the rear garden. This would be demolished and replaced with a new building that would include a double and single garage with living accommodation above. This would include a bedroom with en-suite, living/dining and kitchen area and WC. A new access would also be gained from Yew Tree Place that would provide access to the proposed double garage. The building would have a twin relatively steep pitched roof design, which

- would have some rooflights where the two pitched roof sections would meet in the centre of the building.
5. The proposed building would be a significant structure measuring some 8.4 metres in height, 12 metres in width and 6.8 metres in depth. The height and width of the proposed building would not be dissimilar to the host dwelling. Due to its scale and height, I consider that the proposed building would have the appearance of a stand-alone dwelling, which despite the change in levels, would not, in my view, appear subordinate to the host dwelling.
 6. Despite the significant change in ground levels and the existing boundary vegetation, the scheme would be highly prominent in the street scene given its siting and scale, particularly from Yew Tree Place, where it would be viewed from a lower ground level, similar to that of the proposed building. I consider that the proposed building, including the roof of the larger building section, would also be visible from Northgate End, when viewed along the vehicular access into Yew Tree Place.
 7. The proposed twin steeply pitched roof form would appear incongruous in the street scene against the predominant shallow pitched or hipped roof forms in the immediate area. The steeply sloping pitched roof would result in large and bulky roof planes that would be overly prominent in the street scene. The contrived nature of the proposed roof form would be exacerbated by the overly complicated twin pitched design, with central rooflights, that would not respect the simple roof forms in this part of the Conservation Area.
 8. The staggered building design, which I appreciate has been adopted to try and reduce the bulk of the building would also be unsympathetic to the more traditional form and appearance of the existing dwellings in the surrounding area, including those directly opposite within Yew Tree Place. In addition, I have found that the proposed building due to its height and scale would have the appearance of a stand-alone dwelling in the street scene. The appellant accepts that the proposed building would have a strong relationship with the existing properties within Yew Tree Place. I observed that the existing dwellings within Yew Tree Place predominantly have their principle elevations facing onto the road. The northern elevation of the proposed building, which would face onto Yew Tree Place would consist of the side elevation, with limited openings. When viewed from Yew Tree Place, this would also appear at odds with the existing built form.
 9. I acknowledge that the existing garage building does not make any real contribution to the Conservation Area. However, in contrast to the proposed building, it currently has a somewhat unassuming appearance that does not draw attention to itself and sits comfortably in its context.
 10. For all of these reasons, I consider that the proposal would not preserve the character or appearance of the Bishop Stortford Conservation Area¹. I consider that the resulting harm from the scheme to the Conservation Area as a whole would be less than substantial. Consequently, the public benefits of the scheme need to be weighed against the harm. The proposal would result in improved living accommodation and improved parking arrangements for the appellant and her family, but in the absence of any more immediate public benefits, I consider that this is not sufficient to outweigh the identified harm.

¹ Section 72 (1) of the Planning (Listed Building and Conservations Areas) Act 1990.

11. In conclusion, the scheme by virtue of its design, siting, scale and bulk would not preserve the character or appearance of the Bishop Stortford Conservation Area. The scheme therefore conflicts with Saved Policies BH6 and ENV1 of the East Herts Local Plan Second Review (2007). In summary, these policies seek to ensure that: development in conservation areas are sympathetic in terms of (amongst others) scale, proportion, form and siting in relation to the general character and appearance of the area; and development is of a high standard of design and layout and reflects local distinctiveness. The proposal also runs contrary to Section 12 of the National Planning Policy Framework.

Other matters

12. I accept that there have been no objections from local residents. However, this does not overcome or outweigh the identified harm.

Conclusion

13. For the reasons set out above and having regard to all other matters raised, the scheme conflicts with the development plan, when considered as a whole and there are no material considerations that outweigh this conflict. The appeal is therefore dismissed.

Jonathan Manning

INSPECTOR