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## Appeal Decisions

Site visit made on 23 October 2017

**by Kenneth Stone BSc Hons DipTP MRTPI**

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

**Decision date: 7<sup>th</sup> November 2017.**

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### **Appeal A: APP/X1925/W/17/3180364**

#### **148 High Street, Barkway, Hertfordshire SG8 8EG**

- 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 Roy Rowe against the decision of North Hertfordshire District Council.
  - The application Ref 16/03125/1HH, dated 6 December 2016, was refused by notice dated 18 May 2017.
  - The development proposed is described as 'first floor rear extension and alterations'.
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### **Appeal B: APP/X1925/Y/17/3177066**

#### **148 High Street, Barkway, Hertfordshire SG8 8EG**

- 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 Roy Rowe against the decision of North Hertfordshire District Council.
  - The application Ref 16/03126/1LB, dated 6 December 2016, was refused by notice dated 18 May 2017.
  - The works proposed are described as 'first floor rear extension and alterations'.
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## **Decisions**

### **Appeal A**

1. The appeal is dismissed.

### **Appeal B**

2. The appeal is dismissed.

## **Procedural matters**

3. The application was submitted on a single application form seeking planning permission and listed building consent for alterations, extension or demolition of a listed building. I have taken the description of the proposed development and works from the application form as this reasonably describes the proposed development and works.

## **Main Issues**

4. The main issues in these appeals are:

- in relation to both appeals A and B, whether the proposals would preserve the Grade II listed building known as 148 High Street or any features of special architectural interest that it possesses; and
- in relation to appeal A only, whether the proposed development would preserve or enhance the character or appearance of the Barkway Conservation Area.

## **Reasons**

### *Listed building*

5. The property the subject of this appeal is a two storey detached cottage located at the southern end of Barkway, a small, Hertfordshire, village. The building, which is grade II listed, is an early 18<sup>th</sup> century timber framed property with a steeply pitched thatched roof. The building was originally 2 dwellings and has been altered in the 19<sup>th</sup> century and more recent modern additions have been added including an octagonal garden room and a single storey rear extension with a mono pitched roof. The property derives its significance from its architectural quality as an 18<sup>th</sup> century vernacular cottage. The cottage retains to a large extent the integrity of its proportions, shape, form and materials. The steeply pitched thatched roof across the narrow range provides for upper rooms having windows to the front and the rear thatched roof slope having lower eaves and no original fenestration. Whilst there has been a first floor rear thatched roof extension and single storey additions constructed in the past the proportions, form and dimensions of the original property are still readily discernible. This is further emphasised by the internal arrangement of the upper floor with the access for the rooms set to the rear with the rooms all fronting onto the front of the building. This layout has been somewhat disrupted by the later first floor rear addition which extends the master bedroom across towards the rear.
6. The proposed extension would result in the construction of a first floor rear extension similar to the existing first floor extension. It would be provided with a thatched roof, three pain casement window in the rear elevation and two small windows in the south elevation. It would be clad in wood boarding to match such materials on the other first floor extension and the flank elevations of the main building. Internally the introduction of a stud partition would along with the extension, create an additional bedroom.
7. The proposed extension would result in the insertion of an addition into the rear roof slope of the building. This would result in the loss of part of the existing rear roof slope and historic wood frame at this point. The extension would significantly reduce the appearance of the clear thatched roof slope which, in association with the ground floor extensions and octagonal garden room, would dominate the rear of the building. The original form, proportions, and simple vernacular appearance would be cluttered with modern additions and insertions which cumulatively would make the original form and appearance of the building less easily distinguishable.
8. Internally the changes to the room proportions and general plan form of the existing bedroom would compromise the original internal layout of the building and the single aspect plan form of the original property.

9. For the above reasons I conclude that the proposals would result in harm to the special architectural interest of the property and thereby its significance and would not therefore preserve the Grade II listed building known as 148 High Street or any features of special architectural interest that it possesses. Consequently the proposal would conflict with policy 28 of the saved policies of the District Local Plan No.2 with alterations originally adopted April 1996 (2007) which requires that house extensions should be sympathetic to the existing house.

#### *Conservation Area*

10. The property the subject of this appeal is located towards the southern end of the conservation area, which is generally a linear village frontage with buildings fronting onto the High Street. Properties consist of a variety of ages and styles and the conservation area's significance derives from the intimate village form, concentration of listed buildings and general quality and age of the buildings.
11. The appeal property fronts onto the High Street and although detached sits reasonably close to the neighbouring property to the south. This would restrict views of the flank of the proposed extension to limited close range views. The extension would not be seen when approaching from the north given the position on the building and the existing extension. To the rear of the building there is a modern bungalow that is not within the conservation area and there would be no public views of the extension from the rear. However the extension would still be visible from the adjoining properties which would be within the conservation area. Given that I have concluded that there would be harm to the Listed Building this harm is also evident in the context of the conservation area as the site is still appreciated from within the conservation area and visible from properties within it. Whilst this would be limited there is harm as the conservation area would not be preserved.
12. For the reasons given above I conclude that the proposed extension would result in material harm to the appearance of the building and thereby the conservation area within which it would be visible. The proposal would therefore not preserve the appearance of the conservation area. Consequently the proposal would conflict with policy 28 which seeks to ensure extensions are sympathetic to the existing house.

#### **Other matters**

13. The appellant has drawn attention to alterations and extensions to a listed building at 130 High Street, and to the existing extension on the appeal building, to demonstrate that the Council has previously found such alterations acceptable. However these extensions were permitted some time ago and since which time the Framework has been published. The building is not identical to that the subject of this appeal and there are significant differences in terms of the existing extensions that are present on the appeal building. Each application or appeal should be considered on its merits and on the basis of the policies and facts pertaining at that time and that is how I have approached this decision.

#### **Overall Conclusions**

14. The harm that I have identified to the Listed Building and to the Barkway Conservation area, both designated heritage assets, would be less than

substantial in the context of the National Planning Policy Framework (the Framework). Paragraph 134 of the Framework advises that where proposals would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

15. The appellant has not identified any public benefit associated with the proposals however has drawn attention to noise issues. Concern has been expressed that increased heavy goods vehicle movements along the High Street are causing significant disturbance and the proposal would enable sound proofing partitioning to be installed and create a bedroom to the rear of the building away from the noise. It is noted that the existing master bedroom is fitted with two sets of double glazing units behind the original single pain sash window glazing. This is a private interest of the occupier however it could be that if the affect rendered the property uninhabitable resolution of the problem could safeguard the property and thereby be a public interest, this however has not been contended. I have not been provided with any acoustic data to define the extent of the problem and note that only the existing main bedroom is treated, the other two existing bedrooms are not. Moreover there is no assessment as to whether other less intrusive alterations would be able to address the issue. The property is a single dwelling and it has not been contended that it would not remain so and therefore it is retained in its viable use. On this basis the harm that I have identified to the Listed Building and the harm to the Conservation Area, which are less than substantial, are not out-weighed by the public benefits of the proposals.
16. The proposal results in less than substantial harm to designated heritage assets which is not outweighed by public benefits and the proposal conflicts with the development plan and there are no material considerations to indicate a decision otherwise should be taken.
17. For the reasons given above I conclude that both appeals should be dismissed.

*Kenneth Stone*

INSPECTOR