
Appeal Decision

Site visit made on 22 July 2019

by Les Greenwood MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 August 2019

Appeal Ref: APP/J1915/W/19/3220249

Silkmead Farm House, Hare Street SG9 0DX

- 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 ELVSO Ltd against the decision of East Hertfordshire District Council.
 - The application Ref 3/18/1885/FUL, dated 20 August 2018, was refused by notice dated 20 December 2018.
 - The development proposed is the demolition of existing outbuildings including 2 residential units and the erection of 1 No 4 bed dwelling.
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Decision

1. The appeal is dismissed.

Main issue

2. The main issue is the effect of the proposal on the character and appearance of the local area.

Reasons

3. Silkmead Farm House is located in the countryside to the north of the village of Hare Street, beside the B1368 and next to a small industrial estate that partially wraps around behind the appeal site on rising land. The appeal site is an area of land to the north of the house, occupied by a brick outbuilding and a range of run down stables and sheds, some of which have been demolished. The brick building benefits from a Lawful Development Certificate confirming that it has a lawful use as 2 dwellings. The proposal is to demolish this building and the other remaining buildings, replacing them with a new 2 storey 5 bedroom house with an integral double garage - reducing the number of dwellings on the site from 2 to 1.
4. The site is within an area designated in the East Herts District Plan (DP) as a 'Rural Area beyond the Green Belt' (RA). The DP records that this area is highly valued by residents and visitors, particularly for its open and undeveloped nature. DP Policy GBR2 deals with development in the RA, seeking to maintain the rural character of the area. It allows for replacement buildings provided the size, scale, mass, form, siting, design and materials of

construction are appropriate to the character, appearance and setting of the site and/or the surrounding area.

5. The appellant argues that the proposed building would be much smaller than the existing buildings, reducing the number and scale of buildings on the site. In assessing this matter, I firstly discount all buildings that have already been demolished. They have no significant physical presence on the site and planning permission would be required for their reinstatement. The remaining buildings are mainly low and are set to the back of the site where they can barely be seen from the road. Only the brick outbuilding is readily visible due to its greater height. All of these buildings are rural and unassuming in character. Although some are of poor quality, they cause no significant harm to the character and appearance of the local area.
6. The proposed new house, though it would have a much smaller footprint and would be a much taller and bulkier structure with a high roof. It would be prominent in views from the street. Because of the upward slope of the site it would be perched above street level, accentuating its visual impact. The industrial buildings to the rear are hardly seen from the street, so that the proposed new house would mainly intrude on views of trees and sky, urbanising the outlook from the road.
7. In design terms the proposed house would include elements such as half-timbering and jettied and small paned windows typical of neo-Tudor suburban architecture. The only local reference for this style put forward by the appellant is Silkmead Farm House, but that building is of much plainer design. Although quality facing materials would be used, I find that the proposal would not complement the surrounding area in this respect either.
8. DP Policy GBR2 also allows for the redevelopment of previously developed (brownfield) land in sustainable locations, again where appropriate to the character, appearance and setting of the site and/or the surrounding area. As a former equestrian site, with residential use outside of a settlement, the site conforms with the definition of previously developed land in the National Planning Policy Framework (the Framework). As above, however, I find that the proposal would harm the character and appearance of the area, so would not comply with this aspect of Policy GBR2 either. Furthermore, I cannot agree that this is a sustainable location. Although employment opportunities would be close at hand, the site is well outside of the village on a road with no footways or lighting. Future occupiers would therefore need to rely on the private car for transport to most services and facilities.
9. I conclude that the proposal would unacceptably harm the character and appearance of the local area. It would therefore conflict with DP Policies GBR2 and DES4, which aim to ensure that development is of a high quality of design that promotes local distinctiveness and is compatible with the character and appearance of rural areas including the RA. These policies align with the Framework's emphasis on securing high quality design which is sympathetic to local character. The Council also refers to DP Policies DPS1 and DPS3 here, but I find no conflict with these more strategic policies.
10. The appellant argues that the proposal would make best use of land, in line with DP Policy DES4. Although the proposal would increase the amount of residential floorspace substantially, it would also reduce the number of

dwellings. It is not clear to me that this proposal necessarily represents best use of the site.

Conclusion

11. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should not succeed.

Les Greenwood

INSPECTOR