
Appeal Decisions

Site visit made on 11 June 2019

by A A Phillips BA(Hons) DipTP MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 August 2019

Appeal A: APP/J1915/W/18/3210980

White Cottage, Patmore Heath, Albury SG11 2LX

- 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 Hazell against the decision of East Hertfordshire District Council.
 - The application Ref: 3/18/0983/HH, dated 28 April 2018, was refused by notice dated 21 June 2018.
 - The development proposed is a single storey timber conservatory.
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Appeal B: APP/J1915/Y/18/3210982

White Cottage, Patmore Heath, Albury SG11 2LX

- 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 Mrs Hazell against the decision of East Hertfordshire District Council.
 - The application Ref: 3/18/0984/LBC, dated 28 April 2018, was refused by notice dated 21 June 2018.
 - The works proposed are a single storey timber conservatory.
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Decisions

Appeal A

1. The appeal is dismissed.

Appeal B

2. The appeal is dismissed.

Preliminary Matters

3. As the proposals are in a conservation area and relate to a listed building I have had special regard to sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act). In addition, when considering whether to grant listed building consent I have had special regard to the provisions of section 16(2) of the Act.

Procedural Matter

4. I understand that the Council has advised that a conservatory could be built in an alternative location on the building, but I have determined these appeals on the basis of the plans on which the Council refused the applications.

Main Issue

5. The main issues are whether the proposal would preserve a Grade II listed building, White Cottage, and any of the features of special architectural or historic interest that it possesses and the extent to which it would preserve or enhance the character or appearance of the Patmore Heath Conservation Area.

Reasons

6. The appeal building was listed in 1985 and is a seventeenth century or earlier timber framed, rendered and thatched cottage. It has been altered in the past with the addition of various single and two storey extensions, including a two storey rear extension which has a tiled roof and four dormer windows. The building is set within an attractive and substantial landscaped garden.
7. The site is situated in the Patmore Heath Conservation Area. This part of the Conservation Area is characterised by a range of mainly detached residential properties in substantial plots located adjacent to Patmore Heath which is an area of grassland habitat.
8. The proposal is for a timber conservatory which would project past the rear wall of the existing building and be of modest proportions. The host building has been altered and extended. However, it retains its simple linear form and a uniformity in its overall design, including the rear of the building where the conservatory would be added. The building has evolved over time, but it has retained its well-proportioned simple footprint, scale and massing. The extensions and alterations that have taken place to date do not disrupt the overall simplicity of the building and its historic and architectural integrity.
9. The design of the conservatory is modern with a projection of approximately 2.9 metres and width of approximately 5.3 metres. It is unsympathetic to the listed building in terms of its poor relationship to the footprint of the property whereby it would result in there being an incoherent and poorly conceived addition to the rear elevation of the historic building. It is also unsympathetic in its design and relationship to the building because the roof design and in particular the angle of roof slope and roof glazing respond poorly to the existing building and detract from the architectural integrity of the listed building. It thereby fails to take adequate account of the special interest of the building which lies in its simple form. The extension would disrupt the linear form of the rear elevation which would be harmful to the special character of the modest cottage.
10. The extension would incorporate a glazed mono pitched roof and timber windows and doors and the external walls at the base of the conservatory would include some render. I do not dispute that in terms of its overall size it would be subordinate to the host building and would incorporate some suitable materials, but nevertheless it would detract from the existing building and its simple architectural quality and historic interest.
11. The appellant contends that the proposal represents a new chapter in the history of the site which complements the existing building and does not mimic it totally. My attention has also been drawn to the appellant's view that conservatories are acceptable on properties in conservation areas and on listed buildings and there are many examples of this. However, there is no evidence

to support this stance. Furthermore, I have determined these appeals on their own merits having special regard to the heritage assets.

12. Section 72 of the Act requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Due to the position of the extension on the rear of the property and within a well-screened landscaped garden it is unlikely that the conservatory would be prominent from public or private views other than those experienced within the immediate surroundings of the property's garden. However, given the harm to the historic and architectural interest of the building and the poor relationship of the conservatory to the rear elevation and the footprint of the listed building, in particular, it cannot reasonably be argued that the works would preserve or enhance the character or appearance of the Conservation Area. As such, I conclude that the proposal would fail to preserve the character and appearance of the conservation area.
13. Paragraph 193 of the Framework advises that when considering the impact on the significance of designated heritage assets, great weight should be given to their conservation. It goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets. In terms of the Framework, given the poor relationship to the rear elevation of the listed building, the disruption to the simple linear form of the listed building and inappropriate modern design I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight.
14. Under such circumstances, paragraph 196 of the Framework advises that this harm should be weighed against the public benefits of the proposal. The proposal would improve the living accommodation, but that is of very limited public benefit.
15. Given the above and in the absence of any significant public benefit, I conclude that, the proposal would fail to preserve the special historic interest of the Grade II listed building, White Cottage, and any of the features of special architectural or historic interest that it possesses. In addition, it would fail to preserve or enhance the character or appearance of the Patmore Heath Conservation Area. As such, it does not satisfy the requirements of the Act, paragraph 192 of the Framework and conflicts with Policies ENV1, ENV5, ENV6 and HA7 of the East Herts District Plan October 2018 (the District Plan) which relate to design and environmental quality, extensions to dwellings and seek to sustain and enhance the significance of listed buildings, among other objectives.

Conclusion

16. For the above reasons and having regard to all other matters raised I conclude that the appeals should be dismissed.

A A Phillips

INSPECTOR