



Appeal Decision

Site visit made on 5 August 2019

by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 September 2019

Appeal Ref: APP/J1915/W/19/3222040

Media House, 40 Ware Road, Hertford SG13 7AB

- 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 Lee Williamson (LW Developments) against the decision of East Hertfordshire District Council.
 - The application Ref 3/17/2145/FUL, dated 14 September 2017, was refused by notice dated 21 August 2018.
 - The development proposed is construction of an additional storey to provide 4 x 2 bedroom flats, creation of 4 new car parking spaces and an enlarged bicycle storage.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Since determination of the application the Council has adopted the East Hertfordshire District Plan (2018) (the District Plan). Consequently, Policy BH6 of the East Herts Local Plan Second Review (2007) referred to in the Council's reason for refusal no longer forms part of the development plan. Policies HA1, HA2, HA4 and HA7, also referred to in the Council's decision notice, now form part of the adopted District Plan and I have assessed the proposal against these policies.
3. During the planning application process, the appellant submitted an amended scheme, reducing the size of the proposal. However, the appellant has confirmed that it is the originally submitted larger scheme which they are seeking to progress. A Statement of Common Ground has been submitted by the appellant, and whilst this has not been signed by the parties, it also confirms the appellant's position that they wish to pursue the larger scheme. This is the scheme on which the Council based their decision and I have assessed the appeal on this basis.

Main Issue

4. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Hertford Conservation Area and preserve the setting of the Grade II Listed western office range of the Former Addis Brush Factory.

Reasons

5. Media House is a two-storey converted office building currently in use as 14 apartments. The building is situated on Ware Road and within Area 6 of the Hertford Conservation Area (CA). The significance of this part of the CA derives from its 19th and 20th century residential and industrial buildings, generally two or three storeys in height with a mix of architectural styles. Media House and the neighbouring Grade II Listed western range of the former Addis Brush Factory are of an Art-Deco style contrasting with the traditional architecture on the opposite side of the road. There is a further Grade II Listed building on the opposite side of Ware Road at the Saracen's Head Public House.
6. I acknowledge Media House and western range of the former Addis Brush Factory (the Listed Building) were constructed some years apart. I also saw on site that Media House is of considerably greater width and includes some differing individual detailing such as the white rendered front projections. However, regardless of its origins, this does not detract from the fact that Media House has a strong visual relationship with the Listed Building. The design, scale and form of Media House very much takes its lead from the Listed Building including the two-storey height, the curved projections and bay to the corresponding corners, its facing brickwork and the Art-Deco style windows. The brick parapet roof with the existing plant room on Media House also mirrors the roof form of the listed building. The comparable height and architecture can also be appreciated to the rear of the buildings from both private and public areas. As a result of their shared characteristics and position within the street, these buildings complement each other and together make a positive contribution to the character of the CA.
7. Whilst the design of the proposal takes its architectural style from the current building, the increased bulk and height of Media House and its close proximity to the Listed Building would detrimentally alter the balance of the two buildings. In particular, the parts of the respective buildings that sit either side of the intervening access road and provide a sense of symmetry to the street scene would no longer emulate each other. The current height of Media House ensures that it respects the scale of the Listed Building and does not dominate its setting. As a result of the scale and additional massing of the development, Media House would become more visually dominant. The increased stature and prominence of Media House would be further accentuated by the additional bulk and height over the existing white rendered front projections. Consequently, the status of the Listed Building within the street scene and the positive contribution the buildings make together to the character and appearance of the CA would be diminished.
8. I note the third-party comment submitted in support of the proposal which makes a comparison of the proposal with neighbouring buildings including a gymnasium and apartment building and suggests if these buildings were not considered to affect the Listed Building or the CA, then nor should the proposal. However, I must consider the proposal before me and I do not agree that these neighbouring developments are comparable in terms of their position within the street or their specific relationship with the CA and the Listed Building.
9. Taking all matters into account, the proposal would result in less than substantial harm accounting for the architectural approach and the relative scale of the proposal to the Listed Building and their context within the CA. In

accordance with Paragraph 196 of the Framework less than substantial harm should be weighed against the public benefits of the proposal. The site is in a sustainable location and would utilise an existing building, thereby making an efficient use of land. There would be a modest contribution towards the Council's housing requirements. There would also be a modest contribution to the local economy through the development of the site and subsequent expenditure of future residents. Limited social benefits would also arise through the use of local services and facilities by occupants of the dwellings. However, I must attach great weight to the need to conserve the CA and the setting of the Grade II Listed Building and find therefore that the modest and limited public benefits do not outweigh the less than substantial harm identified.

10. For the foregoing reasons, the development would not preserve or enhance the character or appearance of the Hertford Conservation Area and would not preserve the setting of the Grade II Listed western range of the former Addis Brush Factory. Consequently, in that regard, it would be contrary to Policies HA1 (Designated Heritage Assets), HA2 (Non-Designated Heritage Assets), HA4 (Conservation Areas) and HA7 (Listed Buildings) of the East Herts District Plan (2018) and to the requirements of the National Planning Policy Framework (the Framework).

Conclusion

11. For the above reasons the appeal is dismissed.

M Russell

INSPECTOR