



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: 4 October 2019

Appeal Ref: APP/J1915/W/19/3221072

22 West Street, Hertford SG13 8EX

- 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 O Giddings and Mrs S Giddings against the decision of East Hertfordshire District Council.
 - The application Ref: 3/18/1988/HH, dated 5 September 2018, was refused by notice dated 1 November 2018.
 - The development proposed is a single storey rear infill extension and internal alterations.
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Appeal Ref: APP/J1915/Y/19/3221539

22 West Street, Hertford SG13 8EX

- 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 O Giddings and Mrs S Giddings against the decision of East Hertfordshire District Council
 - The application Ref: 3/18/1989/LBC, dated 5 September 2018 April 2018, was refused by notice dated 1 November 2018.
 - The works proposed are a single storey rear infill extension and internal alterations.
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Decision

1. The appeals are dismissed.

Main Issues

2. The main issues are: whether the proposal would preserve 22 West Street part of a Grade II listed building (it is listed with No 20), 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 Hertford Conservation Area.

Reasons

3. The appeal building is part of 20-22 West Street and was first listed in 1973. The listed building is a hall house which is now sub-divided into two properties. It was originally built in the late fifteenth century and altered in the eighteenth century. During the nineteenth and twentieth centuries rear outshuts were added. It is a timber framed building and the ground floor is finished in black painted brick while the jettied upper floor is white painted plaster. It has a tiled roof which has been partly replaced by clay tiles. There is a pyramidal roof

over the two storey rear outshut and a twentieth century pantiled roof over the single storey outshut which extends beyond this point. There is a yellow-grey brick chimney stack which is forward of the main roof ridge. The door to No 22 is on the left flank elevation alongside studwork beneath the jetty with brickwork of the external chimney breast to the right. The building is a two storey 3 bay Wealden pattern hall house with a central bay.

4. The appeal dwelling occupies the west wing of the original property and the ground floor front room has exposed heavy wide spaced studs and an eighteenth century corner cupboard with shouldered architraves and a segmented head. Much of the original crown post structure remains in situ and internally there remains evidence of the original timber structure in the existing wall separating the dining room and kitchen, including the timber studs which are proposed to be exposed as part of the current scheme. There are two abutting nineteenth century windows serving the existing dining room which, although altered, form part of the important historic fabric of the property. The special interest of this building lies in it being a comparatively late example of a classic Wealden House with many of the original features, including the timber frame, openings and timber studs. It has been extensively altered over time, but the eighteenth and nineteenth century alterations and additions form part of the evolving historic fabric of the structure.
5. The simple design of the rear outshut is indicative of its functional use. It is a subservient part of the building. Nonetheless there is integrity in this part of the structure in terms of its construction and original materials, including lime plaster. As such, it is of historic and architectural interest.
6. The site is situated in the Hertford Conservation Area. This part of the Conservation Area is dominated by listed buildings. At the eastern end of West Street the buildings, which include the appeal property, are mainly domestic. The buildings in this locality are characterised by attractive historic frontages with subservient rear elevations where there have been, additions and alterations.
7. The proposal is for a single storey rear extension which would have a depth of approximately 6.4 metres, a maximum width of approximately 2.2 metres, an eaves height of approximately 2 metres and a maximum height (including the glazed roof) of approximately 3.1 metres. The proposal would fill an area between the eastern elevation of the existing kitchen and dining room with the boundary wall of the adjoining property, 20 West Street and a WC and store structure. The appellants have stated that the extension would enable them to stay in the house, making use of an unused area of external space and outdoor toilet to provide improved internal accommodation, including an indoor toilet, utility room and storage space.
8. The property has already been substantially altered and extended and, although there is some debate as to the actual percentage increase in footprint that would arise from the proposal, it is clear to me that the extension would lead to a significant increase in the footprint of this historic building. Of greater concern is the infill nature of the extension which would not be a traditional way of extending such a property and would distort the historic footprint.
9. In addition, the relatively shallow roof form along with the rather odd triangle of wall along the eaves with the existing outshut would constitute an uncomfortable design to the detriment of the visual appearance of the external

- of the building. It is also noted that the extension would result in the removal of two abutting nineteenth century windows. The appellants contend that the windows in question are not an original part of the hall house but are later additions and there is no mention of them in the listing. That may be the case, but, nonetheless, the building is listed as a whole and the openings in question are an integral part of its historic fabric even though they have been altered using modern methods. The loss of such historic fabric would fail to preserve features of historic interest that the building possesses and so should only be allowed where there is compelling reason to do so.
10. It is also proposed to remove a section of internal wall and to expose some of the timber studs. However, these works would also include removing lathe and lime plastering to the dining room wall. This is an important part of the historic fabric of the building and would be lost without clear and adequate justification. As such, the internal works proposed would also fail to preserve historic fabric of the listed building which is a feature of particular interest.
 11. Given the above, I find that the proposal would fail to preserve the special interest of the listed building. 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. I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight.
 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 proposed extension at the rear of the property, and within a relatively confined rear garden area, it is unlikely that the extension 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 to the pair of listed buildings, it would fail preserve or enhance the character or appearance of the Hertford Conservation Area.
 13. 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 for the occupants, including providing additional accommodation. The appellants have also stated that they wish to conserve the house which they have already spent considerable money on. However, it is clear to me that the proposal would have only very limited public benefit.
 14. 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. As such, it fails to satisfy the requirements of the Act, paragraph 192 of the Framework and conflicts with Policy HA7 of the East Herts District Plan October 2018 (the District Plan). Among other objectives this seeks to sustain and enhance the significance of listed buildings and explains that extensions to listed buildings will only be permitted where there would be no adverse effect on the building's architectural and historic character or appearance.

Conclusion

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

A A Phillips

INSPECTOR