



Appeal Decisions

Site visit made on 15 June 2020

by Graham Chamberlain BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd September 2020

Appeal A - Ref: APP/J1915/Y/19/3243143

Conewood Manor, 60-62 Dunmow Road, Bishop's Stortford, Hertfordshire CM23 5HL

- 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 Conewood Manor against the decision of East Hertfordshire District Council.
 - The application Ref 3/19/1968/LBC, dated 20 September 2019, was refused by notice dated 2 December 2019.
 - The works proposed are described as 'single storey side extension to form residential lounge'.
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Appeal B - Ref: APP/J1915/W/19/3243139

Conewood Manor, 60-62 Dunmow Road, Bishop's Stortford, Hertfordshire CM23 5HL

- 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 Conewood Manor against the decision of East Hertfordshire District Council.
 - The application Ref 3/19/1967/FUL, dated 20 September 2019, was refused by notice dated 2 December 2019.
 - The development proposed is described as 'single storey side extension to form residential lounge'.
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Decisions

1. Appeal A – The appeal is dismissed.
2. Appeal B – The appeal is dismissed.

Preliminary Matter

3. I have considered the two appeals concurrently, but on their own merits, because there are common matters between them.

Main Issues

4. The main issues in this appeal are:
 - Whether the proposed works and development would preserve the Grade II listed building known as 60 Dunmow Road (listed as Hillside House, 60, Dunmow Road) or any features of special architectural interest that it possesses; and

- Whether the proposal would preserve or enhance the character or appearance of the Bishop's Stortford Conservation Area.

Reasons

Whether the proposal would preserve the Grade II listed building

5. 60 Dunmow Road was listed in 1979 and is a detached villa probably dating from around 1830-1840. It is likely that the building was constructed as a dwelling in the first instance but has since been converted to a residential care home. To facilitate this a large 20th Century extension has been constructed off the eastern elevation of the building. This principally extends off the rear service wing leaving the bold square plan of the main part of the villa as still evident. The single storey western elevation is also set back from the main part of the villa and therefore appears recessive to the grand front elevation, which has an imposing presence in the street scene of Dunmow Road as well as punctuating the vista along Manor Road.
6. There is an attractive polite symmetry to the front elevation with the timber sash windows arranged to provide a focus upon the enclosed porch. Detailing is otherwise used sparingly and is mainly evident in the plat band string course, overhanging eaves, ornate chimneys and the two bay windows on the western elevations. The bay windows are particularly attractive architectural features being sensitively proportioned and detailed with dentilled eaves, buff bricks and top hung windows with leaded glazing bars.
7. Given the above, the significance/special interest of the listed building, in so far as it relates to these appeals, is primarily its architectural quality and it being a fine example of Neo-classical domestic villa architecture from the 19th Century.
8. The proposal would encompass a single storey extension constructed off the western elevation of the main part of the listed building and only slightly back from the front façade. Thus, even with a glazed link the extension would be in a prominent location and this would detract from, and unbalance, the symmetry and imposing appearance of the front elevation and the way the square plan form is appreciated.
9. Although detractors, the existing extensions are recessive and leave the original square plan broadly unaltered. Accordingly, their presence does not justify the appeal scheme. In fact, the cumulative impact on the listed building from the proposed extension and those already *in situ* would be to collectively clutter, overpower and detract from its original form. The proposal would partially screen the existing single storey extension towards the back of the site, but its prominent siting would result in a greater adverse impact.
10. It would be necessary to entirely remove the existing forward most bay window to facilitate the addition. There is nothing of substance before me to demonstrate the bay window is defective or that its fabric is of limited interest. The removal of this important architectural feature would harm the significance of the listed building regardless of what form or scale the extension took. In addition, when viewed from the west the proposal would sit awkwardly alongside other details as it would obscure part of the plat band and the lower portion of the first-floor sash windows.
11. The extension would have a similar hipped roof to the main property and the window placement and style in the front elevation would be both harmonious

and subservient, as would the overall height and massing. I am in no doubt that the proposal is a genuine attempt at finding a sensitive solution and the extension to 62 Dunmow Road, undertaken by the appellant, demonstrates the quality of past additions, including the use of appropriate materials. However, these positive aspects of the proposal would not mitigate for the inherent limitations caused by the discordant siting and loss of the bay window.

12. In conclusion, the proposal would seriously harm the special interest and significance of the listed building. In so doing it would fail to preserve it, contrary to the expectations of The Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act'). It would similarly be at odds with the expectations of Paragraphs 193 and 194 of the National Planning Policy Framework (the 'Framework'). The harmful impact on the listed building would also be contrary to Policy HA7 of the East Hertfordshire District Plan 2018 (LP), which only permits works to listed buildings if they would not harm its special architectural and historic character or appearance.

Whether the proposal would preserve or enhance the character or appearance of the Bishop's Stortford Conservation Area (CA)

13. Bishop's Stortford is a sizeable market town described in the Bishop's Stortford Conservation Area Appraisal and Management Plan 2014 as having several layers of historic development. It is still possible to discern these through surviving archaeology, the street layout and individual buildings. This morphology affords the CA much of its unique character and appearance and provides an attractive ensemble of buildings and spaces. 60 Dunmow Road is a surviving part of the 19th and 20th Century layering of the CA, the older parts of the building being of more historic and architectural interest. As well as providing this evidential value, the property imparts a positive aesthetic contribution to the street scene, and thus the significance of the CA.
14. The proposal would be modest in size and thus broadly preserve the evidential contribution the building makes to the 19th Century layer of the CA. However, the siting of the extension would unbalance the symmetry of the front elevation in a way that would be more prominent than the recessive extensions that have already taken place. The extension would also replace the bay window, which is an attractive architectural feature visible from Dunmow Road. It would also generally compound the clutter caused by the modern extensions to the building. The front boundary wall and surrounding landscaping would not entirely screen these impacts. That said, the addition would be subservient to the main building due to its single storey scale and the detailing, form and external finishing materials would be harmonious. Overall, the proposal would harmfully diminish the aesthetic contribution the building makes to the CA but only to a modest extent.
15. Accordingly, the proposal would modestly harm the positive contribution the building currently makes to the CA. It would therefore fail to preserve or enhance the character or appearance of the CA contrary to the expectations of the Act and Paragraphs 193 and 194 of the Framework. The proposal would also be contrary to Policies DES4 and HA4 of the LP, which seek to secure development that is sensitive to its context and preserves or enhances the character or appearance of the district's conservation areas.

Heritage Planning Balance

16. The harm that would occur to the special interest of the listed building and the character and appearance of the CA would not be severe and therefore it would be 'less than substantial' within the meaning of the Framework. Paragraph 196 of the Framework requires such harm to be weighed against the public benefits of the proposal. However, less than substantial harm should not necessarily be equated with less than substantial planning objection, especially where the dual statutory tests have not been met.
17. That said, the extension would improve the quality of the accommodation available at the care home and would do so without excessively eroding the outside amenity space. The proposal must also be considered in the context of an aging local population. However, there is nothing of substance before me demonstrating that without the extension the existing care home is failing to meet any prescribed standard relating to the quality of the accommodation on offer. Nor have I seen anything to suggest the absence of a lounge is adversely affecting the viability of the business. Moreover, it is also unclear whether other options have been considered for providing a resident's lounge at the appeal property. As such, the evidence before me does not indicate the extension is necessary. There would be economic benefits from the construction of the extension, but these would be short lived and modest in scale given the small size of the project. Overall, the proposal would have limited public benefits.
18. Thus, when giving considerable importance and weight to the special regard I must pay to preserving the listed building¹ and the special attention I must pay to the desirability of preserving or enhancing the character or appearance of the CA², I find that the serious overall harm that would arise from the proposal would not be outweighed by its moderate public benefits. Accordingly, there would be a conflict with Paragraph 194 of the Framework as harm to designated heritage assets would not have clear and convincing justification.

Conclusion

19. Given the above, I conclude that the proposal would fail to preserve the listed building and would not preserve or enhance the character or appearance of the CA. There are no other considerations or public benefits that would outweigh this harm. It would therefore fail to satisfy the requirements of the Act, the Framework and development plan policies insofar as relevant. Accordingly, for the reasons given, the appeals have failed.

Graham Chamberlain
INSPECTOR

¹ See Sections 16(2) and 66(1) of The Planning (Listed Buildings and Conservation Areas) Act 1990

² See Section 72(1) of The Planning (Listed Buildings and Conservation Areas) Act 1990