
Appeal Decision

Site visit made on 6 October 2020

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: Monday, 26 October 2020

Appeal Ref: APP/J1915/W/20/3254490

17 Highfield Road, Hertford SG13 8BH

- 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 S & H Chapps and Rockwell Homes Ltd against the decision of East Hertfordshire District Council.
 - The application Ref: 3/20/0287/FUL, as received by the Council on the 11 February 2020 was refused by notice dated 15 April 2020.
 - The development proposed is to construct a new detached house with garage and parking, with new site entrance and associated landscaping.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development upon the character and appearance of the Hertford Conservation Area.

Reasons

3. The appeal site is located within the Hertford Conservation Area (the CA). The significance of this is, in part, derived from the predominance of larger, traditional design buildings arranged in a broadly linear form. Such dwellings are generally sited within landscaped sites, which gives the surrounding areas an open and verdant character. In consequence, the presence of less developed areas is an important characteristic of the CA.
4. Whilst the appeal site features a garden to the side of the existing dwelling, this is prominently located and makes a notable contribution to the verdant and open character of the vicinity. In consequence, the erection of a new dwelling would lead to an erosion of the character.
5. The proposed development, owing to the significant increase in built form, would be particularly prominent within the surrounding area. This arises from the prominence of the appeal site, is in proximity to the junction between Highfield Road and Morgan's Road. In addition, the proposed development would also be visible from the junction between Highfield Road and Bullocks Lane.
6. On account of the siting and scale of the proposed dwelling, it would be visible from a large proportion of Morgan's Road as it would project beyond the front elevation of many of the existing dwellings within this road. Whilst this would

- be screened to some degree by landscaping, some views would still be possible. Furthermore, the siting of the development would also allow for some views of the rear elevation, which would be discordant given the positioning of existing dwellings within the surrounding area.
7. Therefore, whilst dwellings in Morgan's Road are set back from the highway by varying amounts, the different views of the proposed dwelling would mean that it would appear incongruous.
 8. Furthermore, the proposed development includes a driveway. This would result in a greater amount of hardstanding being installed at the property, which would lead to a further erosion of the CA's character. This effect would be exacerbated by the proposed garage as this would increase the built form of the development and would lead to a further erosion of the verdant and open character of the site.
 9. This is particularly concerning given that the proposed development would also result in the removal of part of the existing boundary treatments, which would also erode the traditional forms of architecture that are a feature of the appeal site and the surrounding area.
 10. The proposed development would include some landscaping. However, the screening effect would be partial and may take some time to become established. Given that the overall form of the building would not be adequately screened, the development would remain readily perceptible within the surrounding area. I understand that the existing trees could be retained, however this would not overcome the adverse effects arising from the loss of the site's open and verdant character.
 11. I acknowledge that the proposed development could be constructed from materials that are complimentary to the historic environment. Whilst this is a matter of note, it does not overcome the adverse effects arising from the siting of the proposed dwelling as previously identified.
 12. My attention has been drawn to other developments in the surrounding area, where the dwelling takes up a larger proportion of the site. I do not have the full information regarding their planning circumstances, which lessens the weight that I can attribute to them. However, I note that these dwellings are either located either in line with other dwellings or are well screened by existing, mature landscaping.
 13. In consequence, the existing dwellings do not have the same prominence as the appeal proposal would have. Therefore, whilst I acknowledge that it appears that some of these dwellings would take up a greater proportion of their respective sites, I find that the presence of developments elsewhere does not allow me to disregard my previous concerns.
 14. I therefore conclude that the proposed development would have an adverse effect upon the character and appearance of the CA. The development, in this regard, conflicts with Policies DES2, DES3, DES4, HA1, HA4 and HOU11 of the East Herts District Plan (2018). These, amongst other matters, seek to ensure that new developments conserve, enhance or strengthen the distinctiveness of the local landscape and its features; that developments be of a high standard of design and layout to reflect local distinctiveness; that development preserve and, where appropriate, enhance the historic environment, including the

special interest of Conservation Areas; and be appropriate to the character, appearance and setting of the surrounding area.

Other Matter

15. It appears that the proposed development would not have an adverse effect upon the highway system. Whilst this is a matter of note, it is only one of all the matters that must be considered. In consequence, this does not allow me to disregard my previous conclusions.

Planning balance

16. The harm to the CA would not be severe and therefore would be 'less than substantial' as defined by the National Planning Policy Framework (the Framework). Paragraph 196 of the Framework requires that such harm be weighed against the public benefits of the proposal
17. In this instance, the proposed benefits amount to an increase in the local housing supply within the existing settlement, plus potentially some economic benefits during the construction process and patronage of local businesses post occupation. However, given that the scheme is for a single dwelling only, such benefits would be of a small scale. Accordingly, I can only attribute moderate weight to each of these benefits.
18. In addition, benefits arising from the repair of the boundary wall and the planting of replacement trees would be tempered by the removal of a section of the wall in order to provide access to the development and the loss of openness of the site.
19. Therefore, as I must pay special attention to preserving or enhancing the character and appearance of the CA, I find that the harm as previously identified would not be outweighed by the moderate public benefits. In result, the proposed development would conflict with Paragraph 194 of the Framework as harm to a designated heritage asset would not have a clear and convincing justification.

Conclusion

20. For the preceding reasons, I conclude that the appeal should be dismissed.

Benjamin Clarke

INSPECTOR