



Appeal Decisions

Site visit made on 5 January 2023

by R Sabu BA(Hons), MA, BArch, PgDip, RIBA, ARB

an Inspector appointed by the Secretary of State

Decision date: 10 January 2023

Appeal A Ref: APP/J1915/W/22/3299098 228 Hertingfordbury Road, Hertford SG14 2LB

- 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 Natalie Buckingham against the decision of East Hertfordshire District Council.
 - The application Ref 3/21/2558/HH, dated 6 October 2021, was refused by notice dated 23 February 2022.
 - The development proposed is the removal of an existing glazed/brickwork corridor to be replaced by an extension.
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Appeal B Ref: APP/J1915/Y/22/3299097 228 Hertingfordbury Road, Hertford SG14 2LB

- 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 Natalie Buckingham against the decision of East Hertfordshire District Council.
 - The application Ref 3/21/2559/LBC, dated 6 October 2021, was refused by notice dated 23 February 2022.
 - The works proposed are the removal of an existing glazed/brickwork corridor to be replaced by an extension.
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Decision

1. The appeals are dismissed.

Preliminary Matter

2. As the proposal is in a conservation area and relates to a listed building I have had special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issue

3. The main issue for both appeals is whether the proposal would preserve a Grade II listed building, The Moat House (ref: 1268885), and any of the features of special architectural or historic interest that it possesses.

Reasons

4. The Moat House is sited in the settlement of Hertingfordbury and was listed in 1996. The list description dates it to the early 19th century with 20th century additions. The list description also states that the house was built as the Miller's House to Hertingfordbury Corn Mill. The River Mimram, which runs beside The

Moat House, is a primary topographic feature in the local landscape. The crossing point is marked by the Corn Mill which lies opposite the site.

5. As such, The Moat House is of considerable historic importance in its connection with the Corn Mill and its contribution to the rise of a settlement based on the development of milling activity by the River Mimram.
6. The building has had significant alterations in the 20th century, including a single storey side extension and two-storey rear extension, which attest to the attractiveness of the building as a dwelling and its retained prominence in the local area over a number of years.
7. The rear elevation of the original late-Georgian dwelling has been significantly altered by the later additions. However, since the two-storey rear extension is of a relatively modest width, and the lean-to extension is limited in depth, the form and composition of the rear elevation of the original building is still apparent. This provides a positive contribution to the special interest of the listed building.
8. Given the above I find the special interest of The Moat House, insofar as it relates to these appeals, to be the legibility and fabric of its late Georgian origins.
9. The proposal would consist of the demolition of the existing lean-to rear extension and the erection of a new rear extension. The lean-to extension appears to date from the 20th century although which part of the century is unclear. Although the extension is of similar materials as the main house, it has little relationship in terms of form, scale and fenestration to the original building and therefore provides a neutral contribution to its special interest. Its removal would therefore not harm or benefit the special interest of the listed building.
10. The rear extension would be single storey with a flat roof and would extend a similar distance to the rear as a single storey extension to the two-storey projection. In addition, canopy elements would project further than the rear extent of the existing building and increase the visual appearance of the extension.
11. Although the extension would not be as wide as the existing building, it would obscure a large part of the ground floor of the rear elevation and the depth of the proposal including the canopy elements would restrict the appreciation of the original dwelling when viewed from ground level.
12. The proposal would include a glazed gap between the existing building and the extension, and the glazed walls would allow a degree of visibility to the interior. However, there would nonetheless be some reflections on the glazing and the green roof would have a substantial thickness that would result in the appearance of significant massing that would visually compete with the existing building. Furthermore, the green roof would appear stridently incongruous against the traditional materials of the existing building.
13. In addition, the extension would be slightly higher than the eaves of the single storey rear element which, together with the juxtaposition of the canopy, would appear awkward and lacking in harmony with the existing building. Accordingly, the scale and form of the proposal would significantly detract from the legibility and materials of the historic core of the building thus failing to preserve the special interest of the listed building.

14. The proposed use of materials such as timber and glazing and modern appearance of the proposal would not in themselves result in harm to the special interest of the listed building. However, for the reasons given above, whilst the proposed extension would be single storey, its scale and form would appear discordant and out of proportion when viewed against the building as a whole, thereby eroding the character and appearance of the existing building.
15. Paragraph 199 of the National Planning Policy Framework 2021 (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Paragraph 200 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets and that any such harm should have a clear and convincing justification. Given the limited scale of the proposal, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight.
16. Under such circumstances, paragraph 202 of the Framework advises that this harm should be weighed against the public benefits of the proposal, which includes the securing of optimal viable use of listed buildings. The appellant is of the opinion that the proposal would make a positive contribution to sustainable communities, as it would enable the creation of a carbon free development and would increase the biodiversity of the site due to the proposed green roof. However, given the limited scale of the proposal, these very limited public benefits would not be sufficient to outweigh the harm that I have identified. In any event, the continued viable use of the appeal property as a residential dwelling is not dependent on the proposal as the building has an ongoing residential use that would not cease in its absence.
17. Given the above, I conclude that the proposal would fail to preserve the special historic interest of the Grade II listed building, thus failing to satisfy the requirements of the Act, paragraph 199 of the Framework and development plan policies. In particular, the proposal would conflict with Policies HA1 and HA7 of the East Herts District Plan October 2018 (DP) which aim to conserve heritage assets in a manner appropriate to their special interest and significance and seek proposals that would not have any adverse effect on the architectural and historic character or appearance of the exterior of the listed building. It would also conflict with DP Policies HOU11 and DES4 which seek extensions to dwellings that are of a size, scale, form and design that are appropriate to the character of the existing dwelling and a high standard of design.

Other Matters

18. I note the comments of the Inspectors for the appeals at Brendon Farm and Bridgemans. The proposals at these sites had a clear separation from the existing building and modest link element whereas the proposal before me is connected to the existing building to a far greater degree. As such, those cases are not directly comparable to this case and have not altered my overall decision.
19. Given the scale and siting of the proposal I agree with the Council that the proposal would not be inappropriate development in the Green Belt as it would not result in disproportionate additions over and above the size of the original building.

20. Having had regard to Section 72 of the Act, the proposal would not adversely affect the significance of Hertingfordbury Conservation Area as it would not be readily visible from the street or surrounding buildings.

Conclusion

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

R Sabu

INSPECTOR