



Appeal Decision

Site visit made on 24 March 2023

by S. Hartley BA (Hons) Dist.TP (Manc) DMS MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 3rd April 2023

Appeal Ref: APP/J1915/D/23/3314301

47 Ware Road, Hertford SG13 7ED

- 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 Colin Rice against the decision of East Hertfordshire District Council.
 - The application Ref: 3/22/1485/HH, dated 26 July 2022, was refused by notice dated 7 November 2022.
 - The development proposed is described as 'the partial demolition of existing lean-to workshop and boundary wall. Extension of workshop to provide a two storey artwork/sculpture studio and workshop, incorporating a covered work area, external stairs and new folding gates. Extension of existing dropped kerb'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issues are i) whether the proposal would preserve or enhance the character or appearance of the Hertford Conservation Area (CA) and ii) whether the proposal would preserve the setting of 'The Saracen' which is a grade II listed building.

Reasons

3. The appeal site is located to the rear garden area of 47 Ware Road which is a large double fronted Victorian house typical of those in the immediate locality. The site extends along the rear of the property and where there is a noticeable openness separating the host property from 2 Railway Place, 'The Guitar Studio', which is also two storeys in height.
4. The Grade II listed building referred to by the Council as 'The Saracen' is actually the 'Saracens Head'. This listed building is on the corner of 47 Ware Road and Railway Place and is near the appeal site. To the rear of 'The Saracen' it extends to a lower scale brick range of buildings and with an imposing former oast house with its distinctive conical roof positioned on the end of the terrace of properties. The site falls within Area 6: Ware Road of the CA.

5. I find that Railway Place adds positively and distinctly to the character and appearance of the CA as a whole. It includes buildings of traditional architectural appearance and where the use of brick predominates. Buildings are generally positioned close to the road, but there is a noticeable reduction in the height of buildings to the rear of properties and this seeks to offer some welcome spacious relief to the otherwise dense form of development in the locality.
6. The appeal site contributes positively to the CA in terms of the latter, and while there is some existing development to the rear of the host property, it is nonetheless appreciated as being much more subservient in scale and does not compete with the more traditional and aesthetically pleasing existing buildings that front Railway Place, including the nearby listed building and the former oast house. Owing to the scale and massing of existing development within the rear of 47 Ware Road, I find that it provides a soft and spacious edge to the nearby listed building, and, to this extent, it contributes positively to its setting and hence to its historic significance.
7. The proposal comprises a two-storey structure with a gable-ended pitched roof. The ground floor would include a workshop as well as space for the parking of a vehicle. There would be a studio and plaster room at first floor level. An electric vehicle charging point would be provided as well as solar panels for the roof. While the proposal would be acceptable in terms of street facing window details and materials, the building would nonetheless be significant in terms of its scale and massing when seen from Railway Place. It would not be a subservient form of development to the rear of the host property.
8. I acknowledge that the appellant has attempted to address concerns raised in respect of a similar proposal which was considered on appeal,¹ and that the gabled-ended roof has improved matters in relative terms. Nonetheless, the proposed building would be imposing and dominant when seen in the street-scene, detracting unacceptably from the scale and hierarchy of development that prevails in the area now, as well as the pleasing sense of open separation between the host property and 2 Railway Place which offers some welcome relief to the otherwise built form in the locality. I acknowledge the appellant's comment that the appeal building would not be as high as 2 Railway Place, but it would not be much lower in height and, in any event, my reference to dominance is in the context of site conditions that exist now.
9. Furthermore, owing to the position, scale and massing of the proposed development, I find that some adverse harm would be caused to the setting of 'The Saracen' as an architecturally splendid, listed building. It would compete unacceptably with its scale and grandeur and hence the proposal would not preserve its significance as a result to harm to its setting.
10. The appellant has drawn my attention to examples of developments where single storeys has been replaced with two storeys such as 2B Railway Place, 5b/7a Currie Street and 11 Rainham Street. I do not know the precise circumstances which led to these developments being constructed. Furthermore, and, in any event, in reaching my findings above I am not concluding that all two-storey development in the CA are unacceptable as a

¹ Appeal Ref APP/J1915/D/21/3287427 dated 29 March 2022

matter of principle. In my judgement, and based on the positive and distinctive characteristics of Railway Place in particular, the proposal would be harmful in heritage terms and would not be subservient in scale to the host property. The existence of the developments referred to me by the appellant do not lead me to a different conclusion in respect of the main issues.

11. While the other aspects of the proposal would be acceptable in planning terms, I find that when the development is considered as a whole, less than substantial harm would be caused to designated heritage assets.
12. The proposed studio and workshop use would have some public benefits from a community learning and engagement point of view. Furthermore, it is acknowledged that the building would make use of a sustainable energy source. I do not find that the gable elevation of 2 Railway Place causes harm to the CA. While it is pebble-dashed, it is nevertheless simple in terms of its design and the double pitched roof adds some interest to the CA overall. The proposal would partly screen the pebble-dashed side elevation of 2 Railway Place, but from some parts of the main road the double pitched roof would then be harder to view and the simplicity of the gable elevation without window or door openings would be replaced with a somewhat uncharacteristic narrow and long window to the appeal building.
13. Overall, I do not find that the public benefits identified by the appellant are of sufficient weight to outweigh the less than substantial harm that would be caused to the designated heritage assets. I conclude that the proposal would not preserve the character or appearance of the CA or the setting of the nearby listed building. Therefore, when the development is considered as a whole, it would not accord with the design or conservation requirements of policies HOU11, DES4, HA1 and HA4 of the adopted East Herts District Plan 2018 or Chapters 12 and 15 of the National Planning Policy Framework 2021.

Conclusion

14. For the reasons outlined above, I conclude that the appeal should be dismissed.

S. Hartley

INSPECTOR