



Appeal Decision

Site visit made on 10 January 2023

by R Norman BA(Hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th April 2023

Appeal Ref: APP/J1915/W/21/3288232

Land west of Stone House Farm, Stortford Road, Little Hadham, Herts SG11 2DX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Alex Doyle against the decision of East Hertfordshire District Council.
 - The application Ref 3/21/2114/OUT, dated 21 July 2021, was refused by notice dated 15 October 2021.
 - The development proposed is the erection of two new detached dwellings with outbuildings.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was submitted as an outline with all matters (access, layout, appearance, scale and landscaping) reserved for consideration at a later date. I have therefore taken the submitted plans as indicative only in my consideration of the appeal proposal.
3. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but nevertheless a different wording has been entered. Neither of the main parties have provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.
4. I note the Council did not notify Historic England as should have been the case where a proposed development potentially affects the setting of a Grade II* listed building. However, I have concluded that the proposed development should be dismissed for reasons relating to its location, the effects on the setting of designated heritage assets and the effect on the landscape character area. In these circumstances, little would be gained by delaying the decision to undertaking that notification. Had my decision been otherwise, however, I would have provided an opportunity for the notification to take place.

Main Issues

5. The main issues are:
 - Whether the development would be in a suitable location with regards to access to services and facilities;

- Whether the development would preserve the settings of the adjacent Grade II* and Grade II listed buildings; and
- The effect of the development on the character and distinctive features of the Hadhams Valley Landscape Character Area and the surroundings.

Reasons

Suitable Location

6. The appeal site is located on Stortford Road and currently comprises a parcel of grassed land. It is set within a wider area of open agricultural land with some residential properties in the vicinity, including Stonehouse Farm House, and some industrial and commercial premises opposite. The main settlement of Little Hadham is located to the west, and includes a primary school and grocery store.
7. The proposal is for two new detached dwellings. The submitted plans show the dwellings located in a linear arrangement, with associated parking and garden areas. Access would be via the existing track off Stortford Road. At this stage all details are reserved for later consideration therefore the submitted drawings are illustrative only and these details are not committed.
8. The appeal site is located within the rural area beyond the Green Belt. Policy GBR2 of the East Herts District Plan October 2018 (EHDP) seeks to maintain these areas as a valued countryside resource and provides a list of development types which would be permitted, providing they are compatible with the character and appearance of the rural area. This includes replacement dwellings, use of previously developed land and rural exception housing. The appeal proposal and site do not fall within any of the listed development types.
9. Policy DPS2 of the EHDP provides the hierarchy to deliver development, directing it to sustainable brownfield sites, sites within urban areas, urban extensions and limited development in the villages. The appeal site sits outside of these areas.
10. Policy TRA1 of the EHDP seeks to locate development in places where sustainable journeys can be made to key services and facilities and ensure a range of sustainable transport options are available to occupiers, amongst other things. The appeal site is detached from the main settlement but is however located under 1km from a grocery store, primary school and a bus stop. I have limited details of the frequency of buses or the routes they take, nevertheless the presence of the stops would indicate some potential for alternative modes of transport to services and facilities. There is a narrow, unlit footpath along Stortford Road which would provide some pedestrian access however it is unlikely to be an attractive walking route after dark.
11. Whilst there are some limited facilities accessible in the village, the potential for the use of electric vehicles, and home deliveries, I consider that for many day to day needs future occupiers would be likely to rely on the use of private vehicles in the absence of information about wider facilities and bus services.
12. I note the reference to other developments that have taken place along Stortford Road however I have been given very limited details of these and why they were considered acceptable therefore I cannot conclude that these are sufficiently comparable to the scheme before me.

13. Consequently, due to the location of the appeal site, the proposed development would not be suitably located and would be contrary to the provisions of Policies GBR2, DPS2 and TRA1 of the EHDP. Furthermore, section 9 of the National Planning Policy Framework (2021) (the Framework) seeks to identify opportunities to promote walking, cycling and public transport and ensure that appropriate opportunities to promote sustainable transport modes can be taken up, amongst other things.

Listed Buildings

14. The appeal site lies in proximity to two listed buildings. Stonehouse Farm House is a Grade II listed building with the list entry number 1211341 Stonehouse Farm House Opposite Church Lane. It is a late 17th century property which is orientated facing the access road and the appeal site. The building's special interest and significance are largely derived from its historical and architectural interests as a traditional farmhouse.
15. Fiddlers Croft is a Grade II* listed building dating from the early 17th century, located to the rear of the appeal site. Its list entry is 1290063 Fiddlers Croft 250 metres along drive beside Stonehouse Farm House, Stortford Road. The building's special interest and significance mostly stem from its historical and architectural interest relating to its traditional form and materials as well as the more elaborate decorative elements.
16. Pertinent to the appeal, I am mindful of the Framework's definition of setting as being the surroundings in which a heritage asset is experienced, the extent of which is not fixed and may change over time. Although the immediate settings of the listed buildings, in particular Fiddlers Croft, are relatively well defined, the general spaciousness of the wider area, which includes the appeal site, provides a rural and agrarian context which forms an integral part of their historic setting. This, combined with the strong historic, physical, visual and functional links that the buildings have with their wider surroundings, results in the listed buildings' settings making a tangible and positive contribution to their significance.
17. Section 66(1) of the Planning (Listed Building and Conservation Areas) Act prescribes a duty upon a decision maker to give special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.
18. The introduction of two detached properties into the appeal site would serve to break up the open, agrarian landscape associated with Stonehouse Farm House. It would result in the erosion of the historic functional relationship between the property and the surrounding landscape and would detract from and undermine the importance, significance and prominence of Stonehouse Farm as the main property within an agricultural landscape.
19. The isolated positioning of Fiddlers Croft at a distance from Stortford Road and surrounded by open fields highlights its significance and importance. The introduction of two detached properties into the appeal site would diminish the isolation and separation of this property within its surroundings which in turn would detract from its overall importance. It would substantially obscure the glimpses of Fiddlers Croft from Stortford Road and result in a loss of some of the long views across to the dwelling and its associated curtilage.

20. Whilst landscaping and planting within the appeal site could be carried out this would not satisfactorily mitigate the impact of the development on the listed buildings. The design of the properties is not before me however the introduction of any built form in this location would adversely impact on the significance of the heritage assets regardless of the scale and appearance.
21. Whilst the listed buildings may be arguably physically and visually separated from the appeal site by a distance, as well as boundary enclosures and vegetation, the absence of a strong visual connection is not a determinative factor, as it is the physical presence of the proposal that would be harmful to the wider settings of the heritage assets and the contribution that they make to their significance.
22. Consequently, in all of the above respects, the proposal would not preserve the settings of the nearby Grade II* and Grade II listed buildings. The proposal would detrimentally diminish the important attributes of the buildings' wider settings and profoundly affect how the assets are experienced. In turn this would lessen the positive contributions that their settings make to their significance as well as reduce the ability to appreciate that significance. As such, the proposal would fail to meet the requirements of section 66(1) of the Act. Given that the effects of the proposal would be limited to part of the settings of the listed buildings and specific views to them, I find that the harm would be 'less than substantial' in this instance but, nevertheless, of considerable importance and weight.
23. Policy HA1 of the EHDP states that development proposals should preserve and where appropriate enhance the historic environment of East Herts and therefore, given my findings above, the proposed development would conflict with the policy in this regard. The Framework and Policy HA1 require that less than substantial harm to a designated heritage asset should be weighed against the public benefits of the proposal. I will return to this balance later on.

Character of the Hadhams Valley Landscape Character

24. The appeal site is located within the Hadhams Valley Landscape Character Area which is distinctive for its valley formation and plateau with some undulating slopes visible. The appeal site is bounded to the front by dense hedging along Stortford Road and is viewed in the context of the wider open agricultural land. It is relatively flat in nature and, despite the boundary hedging, allows for long views across the open countryside and marks a transition between the built up area of Little Hadham and the more sporadic developments set within swathes of open agricultural land.
25. The proposal would introduce two detached dwellings into the appeal site, which would be likely to front onto Stortford Road. Although the submitted plans are indicative only at this stage, the dwellings would introduce a built form into what is currently an open site, resulting in the partial loss of the longer views across the landscape and eroding the rural nature of this part of Stortford Road. They would serve to extend the built form of the village as far as Stonehouse Farm House which would be somewhat at odds with the immediate character of this part of Stortford Road.
26. Given the indicative nature of the submitted drawings, I am not convinced that dwellings of a suitable scale, design or layout could be proposed to enable

suitable assimilation into the landscape and any landscaping scheme would not fully mitigate the visual harm to the character and appearance of the area.

27. The proposal would therefore conflict with Policies DES2, DES3 and DES4 of the EHLP. Collectively, these seek to ensure that development demonstrates how it conserves, enhances or strengthens the character and distinctive features of the district's landscape, retains, protects and enhances existing landscape features which are of amenity value and be of a high standard of design and layout to reflect and promote local distinctiveness, amongst other things. It would also be at odds with Sections 12 and 15 of the Framework which seek to achieve well-designed and high-quality places, recognise the intrinsic character and beauty of the countryside and conserve and enhance the natural environment.

Other Matters

28. The Appellant has referred to the construction of the new bypass which will reduce traffic travelling through the village. However, the Council and Local Highway Authority have not raised concerns with the level of traffic that would be likely to arise from the proposed development.

Public Benefits and Planning Balance

29. I have found that the proposed development would result in less than substantial harm to the significance of the listed buildings. There would be public benefits in the provision of two new homes. However, these would be limited and in the absence of additional benefits being identified, not sufficient to outweigh the considerable importance and weight I attach to the less than substantial harm.
30. Furthermore, I have found that the proposed development would be contrary to the policies of the EHDP and therefore the plan overall. I have not been presented with sufficient evidence that there are any material considerations which would outweigh the harm identified and the resultant policy conflicts.

Conclusion

31. For the reasons given above, and having had regard to all matters raised, I conclude that the appeal should be dismissed.

R Norman

INSPECTOR