

Appeal Decision

Site visit made on 20 June 2023

by P Eggleton BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th July 2023

Appeal Ref: APP/J1915/D/23/3319377

62 Warwick Road, Bishops Stortford, Hertfordshire CM23 5NW

- 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 R Hawkins against the decision of East Herts Council.
 - The application Ref 3/22/0862/HH, dated 20 April 2022, was refused by notice dated 13 January 2023.
 - The development proposed is a first floor extension and re-roofing of existing house.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would preserve or enhance the character or appearance of the conservation area.

Reasons

3. The property is situated within the Bishop's Stortford Conservation Area. In the vicinity of this dwelling, the tree lined road, the grass verges, adjoining high front boundary hedges and mature garden landscaping provide a positive contribution to the character of the area. In addition, at intervals along the road, there are numerous period properties which provide architectural interest and quality. The appeal property is one of these quality period dwellings and sits alongside similar detached houses with matching original distinctive features at number 64 and 66 Warwick Road. The distinctive angled front bays of these houses face travellers heading east. This corner detail within the frontage, draws views into the properties allowing the depth and detailing of the side elevations to be experienced. This is particularly the case with regard to numbers 62 and 66 given the separation distance from the nearest dwelling to the west, which allows more open views.
 4. The proposal would extend the dwelling at two storey level to the rear, as a continuation of the existing roof form. Although the roof height is reduced at the rear, the projection would nevertheless be indistinguishable from the original built form. The new window details have to some extent, sought to limit or integrate this greater depth of development in order to provide a more satisfactory composition. However, given the particular characteristics of the original design which draws attention into the site, this new element would be
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- relatively prominent in views given the openness of the frontage at first floor level. The proposal would detract from the proportions of the house and would result in harm to its character and appearance. Although limited to being perceived in only a small area of the conservation area, given that this property is a positive feature, this would result in harm to the character and appearance of the conservation area.
5. The Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty requiring that special attention be paid to the desirability of preserving or enhancing the character or appearance of conservation areas. The *National Planning Policy Framework* is clear that any harm to a heritage asset, such as a conservation area, should be weighed against the public benefits of the proposal. In this case, the proposal would not preserve or enhance the character or appearance of the conservation area and would result in less than substantial harm as described by the *Framework*.
 6. With regard to the design overall, the loss of the detailed gable, despite being reproduced, would be unfortunate. The composition of the new rear elevation, which would be dominated by the large first floor glazing panels, would be entirely at odds with the overall design and would appear incongruous alongside the replaced and original gable detailing. The infill area of the extension would be contrived and at odds with the design of the house overall. Whilst the rear of the property would not be publicly viewed, these combinations do not represent good design and detract from the overall character of the property. Whilst the ground floor modern extension has been accepted, this is clearly distinguishable from the original design and offers a subservient, positive juxtaposition. This would not be the case with the new first floor elements nor would they sit comfortably together.
 7. The proposal would conflict with Policy HA4 of the East Herts District Plan 2018 (DP) as it would fail to preserve or enhance the special interest, character and appearance of the conservation area. It would also conflict with the design objectives of DP policy DES4 and HOU11 as it would not represent a high standard of design given this particular context; it would not be appropriate to the character, appearance and setting of the existing dwelling; nor would it appear as a subservient addition. The proposal would also be in conflict with policy HDP2 of Bishop's Stortford Neighbourhood Plan for All Saints, Central, South and part of Thorley 2022 for the same reasons.
 8. DP policy HA1 relates to heritage assets and follows the requirements of the *Framework*, requiring that less than substantial harm should be weighed against the public benefits of the proposal.
 9. The works referred to at 66 Warwick Road have altered its overall form and character. Permission was granted before the property was included in the conservation area and under different development plan policies. That development is also significantly different to that now being proposed. Nevertheless, it is evident that similar considerations were taken into account at that time. Given the differing circumstances however, it does not provide significant weight in favour of this proposal.
 10. Warwick Road is characterised by the trees, hedges and the relatively spacious perception provided by the set back of buildings. As such, changes to the rear

of properties have a lesser impact than those located nearer to the road. I have had regard to this and the lack of any changes to the frontage in my assessment. However, I have also taken into account the particular circumstances and design details of this property.

11. There would be public benefits from the improved fabric of the building with regard to insulation. There are also economic benefits that would result from the works and social benefits from the general improvement of the living accommodation. However, whilst I have had regard to the matters put forward, the public benefits are not sufficient to outweigh the less than substantial harm that would result to the conservation area. The proposal therefore conflicts with the heritage requirements of DP policy HA1 and the similar requirements of the *Framework*. My other design reservations add to this concern. I therefore dismiss the appeal.

Peter Eggleton

INSPECTOR