



Appeal Decision

Site visit made on 7 November 2023

by V Simpson BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st December 2023

Appeal Ref: APP/J1915/D/23/3316333

1 Harrison Lane, Balls Park, Hertford SG13 8FE

- 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 Richard Pascoe against the decision of East Hertfordshire District Council.
 - The application Ref 3/22/0356/HH, dated 15 February 2022, was refused by notice dated 18 November 2022.
 - The development proposed is described as first floor extension over existing ground floor lounge area. Modifications to ground floor external walls.
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Decision

1. The appeal is dismissed.

Background and Main Issue

2. The appeal site is within the Green Belt. Policy GBR1 of the East Herts Council East Herts District Plan dated October 2018 (the district plan) indicates that planning applications within the Green Belt, will be considered in line with the provisions of the National Planning Policy Framework (the Framework).
3. Paragraph 147 of the Framework states that inappropriate development is by definition, harmful to the Green Belt. Paragraph 149 then says that new buildings in the Green Belt should be deemed to be inappropriate. A stated exception to this is for the extension or alteration of a building provided it does not result in disproportionate additions over and above the size of the original building.
4. The Council has found that the development proposals would not amount to inappropriate development in the Green Belt. From the evidence and my observations on site, I have no reason to conclude otherwise.
5. Therefore, the main issue is the effect of the development on the character and appearance of the area.

Reasons

6. A detached dwelling is located on the appeal site. It forms one of a pair of dwellings which are located either side of a gated entrance to the Balls Park estate. Together, the pair of houses and the gated entrance form a small cluster of development located adjacent to London Road and framed by trees. Even though from the evidence and my observations on site, traffic passing the site along London Road is generally fast moving, the small collection of development remains readily visible when passing the site.

7. Furthermore, and although not symmetrical, there are strong similarities in the design detailing, scale, materials and siting of the pair of dwellings either side of the gates. These similarities afford the development within the cluster a clear and pleasant sense of balance, which positively informs the character and appearance of the area.
8. The ridge height of the first-floor extension would be slightly lower than that of the existing dwelling. However, the building lines and main roof pitches of this part of the proposed extension would read as a continuation of the existing dwelling rather than as a subservient addition to it.
9. In terms of the design detailing and external materials that would be used, the proposed development would effectively emulate features of the original house. Nevertheless, the first-floor extension would be substantially taller, larger, and more visually prominent than the flat-roofed single-storey part of the house it would replace. Furthermore, and although the width of the first-floor extension would be approximately half the width of the existing 2-storey part of the house, the height and length of the ridge would be similar to that of the original dwelling. The proposed development would therefore significantly increase the scale of the house, and harmfully erode the balance of the pair of houses either side of the entrance gates.
10. For the reasons given above, the development would cause harm to the character and appearance of the area. Consequently, it would conflict with policies DES4 and HOU11 of the district plan. Amongst other things, these policies require development to be of a high standard of design and layout to reflect and promote local distinctiveness, and that extensions should generally appear as a subservient addition to the dwelling. It would also conflict with chapter 12 of the Framework, which seeks to ensure that developments add to the overall quality of the area; are sympathetic to local character; and maintain a strong sense of place.

Other Matters

11. The evidence suggests that the appeal site forms part of the Balls Park estate. The estate contains the large grade I listed former country house known as Balls Park, as well as several other grade II listed buildings, and a grade II listed park and garden. In addition, Jenningsbury and the separately listed garden wall to the north of Jenningsbury, both of which are located to the southeast of the application site, are grade II listed. Albeit consulted, Historic England have not commented on the proposals subject of this appeal.
12. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to be given to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses. Paragraph 199 of the Framework guides that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
13. The significance of Balls Park, the park and garden and the other listed buildings within the wider estate lie, partly, in their historic fabric and collective group value. The estate is close to the edge of the town of Hertford. It also contains a range of more modern housing developments, some of which are located close to the listed buildings. In so far as it relates to this appeal, the

setting of the listed buildings on the estate is therefore informed not only by other nearby listed buildings, but also by the more recent housing developments, as well as by the nearby parkland and agricultural land.

14. The significance of the buildings at Jenningsbury, arise in part, from their historic fabric, as a moated house and a redbrick wall along the line of the inner bank of the moat, and, from the historic uses of the property as both a farmhouse and a moated manor. The setting of these buildings is largely informed by a group of nearby houses as well as by the neighbouring large open fields.
15. The proposed development would be separated from the listed buildings within the Balls Park estate and Jenningsbury, and from the listed park and garden, by large fields and intervening trees and woodland. Given the separation distances between the proposed development and the listed buildings, park and gardens, and the significant screening afforded by the trees, the setting of these heritage assets would be preserved. Furthermore, and for the same reasons, no harm would be caused to the significance of these heritage assets or their settings. Consequently, there would be no conflict with the Framework as it relates to the conservation of the historic environment.
16. The appeal site forms part of a wider area of land subject of a tree preservation order. However, the Council has indicated that the development would have no impact on any trees on or bordering the site. Given the distance of the trees from the dwelling, and, that increases in the footprint of the building would not project beyond areas of existing hardstanding, I have no reason to take an alternative view.
17. If implemented the proposed development would facilitate the creation of an additional and larger 1st floor bedroom, which would bring the ground and first floor accommodation into better proportion to each other, and which would enlarge the size of the house. However, only very limited weight can be attributed to the private benefits resulting from the enlargement of the house.
18. That the proposed development would not cause harm to the living conditions of occupiers of neighbouring properties is a neutral consideration. Furthermore, the absence of objections from neighbours or statutory consultees does not weigh in favour of the scheme.

Conclusion

19. The proposal conflicts with the development plan when taken as a whole, and there are no material considerations, either individually or in combination that outweigh the identified harm and development plan conflict.
20. For the reasons given above, I conclude that this appeal should be dismissed.

V Simpson

INSPECTOR