



Appeal Decisions

Site visit made on 12 July 2024

by R J Redford MTCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st August 2024

Appeal A Ref: APP/J1915/W/24/3336216

Elm Cottage, Gravesend, Albury, Hertfordshire SG11 2LW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Ms Heather Brooks against the decision of East Hertfordshire District Council.
 - The application Ref is 3/23/1786/HH.
 - The development proposed is described as a single storey side extension being added to the south end of Elm Cottage to create a fourth ground floor bedroom and en-suite to accommodate a growing family.
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Appeal B Ref: APP/J1915/Y/24/3336213

Elm Cottage, Gravesend, Albury, Hertfordshire SG11 2LW

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Ms Heather Brooks against the decision of East Hertfordshire District Council.
 - The application Ref is 3/23/1787/LBC.
 - The works proposed are described as a single storey side extension being added to the south end of Elm Cottage to create a fourth ground floor bedroom and en-suite to accommodate a growing family.
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Decision

Appeal A Ref: APP/J1915/W/24/3336216

1. The appeal is dismissed.

Appeal B Ref: APP/J1915/Y/24/3336213

2. The appeal is dismissed.

Procedural Matters

3. For clarity both Appeal A and Appeal B refer to the same proposed scheme. Therefore, in this decision I have referred to them jointly unless specified otherwise.

Main Issues

4. The main issues are whether the proposal would preserve a Grade II listed building known as "Elm Cottage" (Ref: 1347712) (the LB) and any of the features of special architectural or historic interest that it possesses, and the

extent to which it would preserve or enhance the character or appearance of the Patmore Heath Conservation Area (the CA).

Reasons

5. As the proposal relates to a listed building and is in a conservation area, I have had special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (the Act).
6. The LB is a timber-framed, thatched building which is considered to have been originally constructed in the late 17th – early 18th century. Its significance is based on it being a good example of a rural vernacular house, but it is noted it has been extended at both ends and to the rear. Nevertheless, the original timber framing and central chimney stack are clearly visible internally and the side extensions have been built sympathetically to the original core. The rear extension is, however, obviously modern in form.
7. The CA is characterised by the broadly triangular heath at its heart and the collection of rural dwellings which surround it. It was later extended to incorporate part of the lane that links the heath and Gravesend. This was because it was considered a good example of a sunken lane. The lane has a verdant appearance which is instructed by the overhanging trees and mature hedgerows, and in combination with the traditional properties along it, including the LB, emphasises its character. A key view through the CA is along the sunken lane from the southern corner of the appeal site towards the Catherine Wheel public house and the narrow approach towards the heath.
8. The proposal would further extend the LB to the southern end. It would follow the traditional rectilinear form of the cottage. However, the proposal would overstep the rear elevation of the LB and require a complicated roof form to ensure the upper floor windows in the existing side elevation are not obscured. This would add complexity and create an awkward relationship between the existing and proposed. In combination with the existing additions to the LB, the proposal would therefore fail to preserve the simple form and vernacular appearance of the LB.
9. It is acknowledged a similar roof form was accepted on the rear extension. However, this simply shows the awkwardness of the form and replication of this does not automatically mean it is appropriate.
10. The proposed use of plain tiles and weatherboarding would delineate the extension from the main house. This differentiation in materials between a main house and extension is not uncommon and can create a subservient relationship with the host dwelling should that proposed be of a suitable size and form. It is also noted that the proposal would only require the removal of fabric related to a later extension. In both instances, these elements would have a neutral impact on the LBs significance.
11. The Council has raised concerns in relation to the proposed fenestration in the extension. Nevertheless, this would also be considered to have a neutral impact as they would not be so dissimilar to the existing mix on the LB and would be clearly within that the proposed extension.
12. The CA was expanded to include the LB because of how it instructs the historic linkage between the heath and Gravesend, in effect its character. Therefore, as the proposal would harm the significance of the LB it cannot be considered to

preserve or enhance the character of the CA. Nevertheless, the combination of the proposed single storey height of the extension, the boundary hedging and the sunken nature of the lane ensure the proposal would not be visually obvious when travelling through the CA or within the key views along the lane. As such the proposal is unlikely to harm the appearance of the CA.

13. For the reasons given above I have found the proposal would harm the significance of the LB and fail to preserve the character of the CA. This would therefore constitute less than substantial harm, nevertheless this would be at the lower end.
14. As I have identified less than substantial harm to the heritage assets, paragraph 208 of the National Planning Policy Framework (the Framework) advises that it is weighed against the public benefits of the scheme.
15. The appellant does not consider the proposal harmful so has not referenced any benefits of the scheme, beyond the private need for additional accommodation. The appeal site is also already within residential use and so the optimal viable use of the LB is secured and is not dependent on the proposal being approved.
16. As there are no public benefits which would outweigh the less than substantial harm identified. The proposal would therefore fail to satisfy the requirements of the Act and the Framework. It would also conflict with East Hertfordshire District Plan Policies DES4, HOU11, GBR2 and HA4 insofar as they require the design of new extensions or alterations to be appropriate in relation to the character and appearance of the host building and relevant historic assets.

Other Matters

17. A lack of harm in relation to the living conditions of neighbouring residents, on-site parking, ecology, and archaeology is noted. However, a lack of harm is a neutral factor and so does not weigh for or against the proposal.
18. It is also noted that the proposal was developed from a previously refused scheme. Nonetheless, this does not alter my findings on the main issues.

Conclusion

19. For the reasons given above the proposal would conflict with the development plan when read as a whole and there are no sufficiently weighted material considerations, including the Framework, which would indicate a decision otherwise. Appeal A and Appeal B are, therefore, dismissed.

RJ Redford

INSPECTOR