

Appeal Decision

Site visit made on 19 August 2024

by David Reed BSc DipTP DMS MRTPI

an Inspector appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 24 September 2024

Appeal Ref: APP/X1925/W/24/3344958

Sun Hill Cottage, 3 Sun Hill, Royston SG8 9AU

- 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 Kevin Henderson, HendersonArchitects against the decision of North Hertfordshire District Council.
 - The application Ref 23/02389/FP, dated 11 October 2023, was refused by notice dated 12 February 2024.
 - The development proposed is the change of use of the existing detached 2-bed ancillary accommodation barn to one detached 2-bed self-contained residential dwelling and the erection of a boundary fence.
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Decision

1. The appeal is allowed and permission is granted for the change of use of the existing detached 2-bed ancillary accommodation barn to one detached 2-bed self-contained residential dwelling and the erection of a boundary fence at Sun Hill Cottage, 3 Sun Hill, Royston SG8 9AU, in accordance with the terms of the application, Ref 23/02389/FP, dated 11 October 2023, subject to the attached schedule of conditions.

Main Issue

2. The main issue is the effect of the proposal on the conservation of the heritage assets Sun Hill Cottage and the Royston Conservation Area (CA).

Reasons

3. The proposal is to change the use of the existing ancillary accommodation unit set to the rear of Sun Hill Cottage into an independent dwelling by subdividing the rectangular curtilage into two with a new boundary fence.
4. Sun Hill Cottage, previously the Sun Public House, is a Grade II listed property on the corner of Sun Hill at the western edge of the Royston CA south of the town centre. Dating from the 17th century, the L shaped building is of one storey with attics, of pale brick with tiled roof and three box dormers. The detached 19th century or earlier barn, converted into ancillary accommodation recently and the subject of this appeal, is of flint with brick dressings and lies at the end of the rear garden adjacent to Sun Hill.
5. The two buildings lie within the same curtilage and there is no evidence that the sites have been put together in the past. It is therefore likely that the two have a historic connection, with the barn some sort of outbuilding behind the cottage. The appellant's heritage statement suggests that the building may have been a stable, and its physical relationship behind the cottage with direct road access would be consistent with this possibility. However, neither main

party provide any firm evidence, and the functional relationship between the barn and the cottage building remains unclear.

6. The buildings are separated by a rear garden area, are of different dates, types of construction and materials. The barn conversion, whilst currently used as ancillary accommodation, contains two bedrooms and all the facilities needed for use as an independent unit, including direct access to driveway parking. No physical works to either building would be required, only the subdivision of the rear garden by erection of a 1650 mm high fence of woven wicker and timber posts. The Council raise no objection to the creation of two dwellings other than the heritage impact of the severance involved.
7. However, in this case the heritage impact would be negligible. Whilst the gable end of the barn and side elevation of the cottage are adjacent to the road and clearly visible to passers-by, the rear garden and driveway between the two buildings are screened by a low wall and tall close boarded fencing. The subdividing wicker fence would thus be barely perceptible from the road, with the physical relationship of the two buildings still apparent. The contribution of the outbuilding to the understanding and significance of the cottage and its history would therefore be effectively unchanged. The reduced curtilage for the cottage would also be barely perceptible causing minimal harm to the appreciation of the cottage as a heritage asset.
8. For these reasons the proposed change of use and subdivision by fencing would not cause material harm to the understanding and significance of Sun Hill Cottage as a Grade II listed building nor materially detract from the character and appearance of the Royston CA. The proposal would not conflict with Policy HE1 of the North Hertfordshire Local Plan 2022 which seeks to protect heritage assets and would comply with the legislative duties to have special regard to the preservation of the setting of the listed building and to preserve the character and appearance of the CA.

Conclusion

9. Whilst the proposal would not cause material harm to the conservation of heritage assets, it would provide an additional independent 2-bed dwelling which would make a small but useful contribution to the local housing stock and have economic and social benefits for the town. This is important as the information submitted in connection with the appeal suggests the Council can only demonstrate 1.47 years supply of deliverable housing land¹.
10. The Council suggested five conditions should the appeal be allowed which are not disputed by the appellant and have been assessed against the relevant tests. In addition to the standard implementation time limit it is necessary to define the approved plans in the interests of certainty and to remove certain permitted development from the new dwellinghouse and its curtilage which may affect the character of the building given its small plot and thus warrant control². Finally, conditions are necessary to require the provision of cycle parking and electric vehicle charging in the interests of sustainable transport.

¹ North Herts Interim Five Year Housing Supply (June 2021) provided by the appellant. This appears to pre-date the adoption of the local plan in 2022 but the Council do not provide any later information. Even if there is a five year housing land supply, an additional dwelling would be a material benefit.

² Classes A, B, C, D and E relating to enlargement, roof alterations, porch and curtilage buildings but not Class F relating to hard surfaces in the curtilage as these would have minimal impact.

11. Having regard to the above the appeal should be allowed.

David Reed

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
Location Plan
Proposed Site Layout and Boundary Fence Dwg 2311/01
Proposed Timber Boundary Fence Elevation & Site Section Dwg 2311/02
- 3) Prior to the independent occupation of the new self-contained residential dwelling hereby permitted two cycle parking spaces shall be provided in accordance with details to be submitted to and approved in writing by the local planning authority. The spaces shall then be retained for cycle parking purposes at all times.
- 4) Prior to the independent occupation of the new self-contained residential dwelling hereby permitted an electric vehicle charging point shall be provided in accordance with details to be submitted to and approved in writing by the local planning authority. The charging point shall then be maintained in working order at all times.
- 5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended no development as set out in Classes A, B, C, D and E of Part 1 of Schedule 2 to the Order (or any subsequent Statutory Instrument which revokes, amends and/or replaces those provisions) shall be carried out without first obtaining a specific planning permission from the local planning authority.