

6n E/11/0263/B – Unauthorised fence attached to listed building at The White House, 99 High Street, Watton-at-Stone, Herts, SG14 3SZ

Parish: WATTON-AT-STONE CP

Ward: WATTON-AT-STONE

RECOMMENDATION:

That the Director of Neighbourhood Services, in consultation with the Director of Finance and Support Services, be authorised to take enforcement action under section 172 of the Town and Country Planning Act 1990 and any such further steps as may be required to secure the removal of the unauthorised fence.

Period for compliance: 3 months

Reason why it is expedient to issue an enforcement notice:

1. The fence, by reason of its scale, design and materials, is out of keeping with and detrimental to the character and appearance of the listed building, its setting and the Conservation Area. The development is therefore contrary to Policies ENV1 and BH6 of the East Herts Local Plan Second Review April 2007 and Section 12 of the National Planning Policy Framework.

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1.0 Background:

- 1.1 The site is shown on the Ordnance Survey extract. The site is located within the High Street of Watton-at-Stone and consists of a single Grade II Listed Building.
- 1.2 In August 2011, concerns were expressed to the enforcement team regarding the erection of a significant amount of fencing, which was also physically attached to the listed building, without planning permission or listed building consent.
- 1.3 The owner was contacted and a meeting was subsequently held on site, where the works were inspected. It was communicated to the owner that the works required both planning permission and listed building consent.
- 1.4 Retrospective applications seeking planning permission and listed building consent were submitted under references 3/11/1752/FP and

3/11/1753/LB respectively. Both applications were subsequently refused in March 2012 due to their detrimental impact on the character and setting of the Grade II listed building and the Conservation Area.

- 1.5 The time period for appealing the decisions to the planning inspectorate has lapsed and officers have received no response to letters sent requesting proposals to rectify the breach of planning control.

2.0 Planning History:

- 2.1 The relevant planning history is as follows:

3/11/1753/LB	Retention of rear fence to enclose garden area	Refused
3/11/1752/FP	Erection of rear fence to enclose garden area (part retrospective)	Refused

3.0 Policy:

- 3.1 The relevant Policies of the East Herts Local Plan Second Review April 2007 are:

ENV1 – Design and Environmental Quality.
BH6 – New Developments in Conservation Areas.

- 3.2 The National Planning Policy Framework is also a relevant material consideration.

4.0 Considerations:

- 4.1 The White House is a Grade II listed designated heritage asset. In the absence of 'saved' local policies on listed buildings, the NPPF makes it clear 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. In addition, as heritage assets are irreplaceable, any harm or loss, including to their setting, should require clear and convincing justification.
- 4.2 The fencing requires express planning permission by virtue of its siting within the curtilage of a listed building. Policies ENV1 and BH6 are also therefore appropriate in considering the impact of the fencing. The Policies require development to be of a high standard of design with respect to local distinctiveness, with proposals within Conservation Areas also required to preserve or enhance the character and appearance of the area.

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- 4.3 White House itself is a large vernacular building of 16th Century origins, which is sited within a prominent position close to the back of the pavement on High Street, the main thoroughfare and historic core of the Watton-at-Stone Conservation Area.
- 4.4 The appearance of the fence is considered to be very stark and at odds with its environment, providing a barrier to views of the listed building and wider Conservation Area. The fence does not reflect the historic nature of its environment and is detrimental to the character and setting of the listed building and the character and appearance of the wider Conservation Area.
- 4.5 Officers appreciate that some form of boundary treatment is necessary in this location to protect the amenity of the occupiers of The White House. However, there is a wide range of more sympathetic options which could be explored.
- 4.6 Officers have received no response to correspondence sent requesting the owner's proposals and timescales for rectifying the breach of planning control and the fence remains in situ despite the refusal of planning permission and listed building consent.
- 5.0 Recommendation:**
- 5.1 For the above reasons it is recommended that authorisation be given to issue and serve an Enforcement Notice requiring the removal of the fence.