

---

# Appeal Decision

Site visit made on 4 February 2014

**by D Spencer BA (Hons) DipTP MRTPI**

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

**Decision date: 13 February 2014**

---

**Appeal Ref: APP/J1915/D/14/2211285**

**Ashleigh, Patmore Heath, Albury, WARE, Hertfordshire, SG11 2LX**

- 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 Mrs Alannah Lockwood against the decision of East Hertfordshire District Council.
  - The application Ref 3/13/1735/FP was refused by notice dated 27 November 2013.
  - The development proposed is first floor extension created over the existing house, a full length front porch and internal alterations.
- 

## Decision

1. The appeal is dismissed.

## Main issue

2. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Patmore Heath Conservation Area.

## Reasons

3. The Patmore Heath Conservation Area is tightly defined to a small rural community arranged off a narrow metalled road around the open edge of the attractive and publically accessible nature reserve with its grassland, trees and ponds. The conservation area occupies an elevated position in the landscape and as such views are possible between houses over the surrounding undulating farmland, accentuating the rural qualities of the conservation area. There is variety in the styles and materials of properties around the heath but generally they are of a modest scale.
4. Ashleigh is a 1960s brick and tile bungalow property with an open aspect onto the heath where the road follows a sweeping curve in the south-west corner of Patmore Heath. The property has a modest rear gable extension and outbuildings. To the north is a low 2 storey traditional cottage of weatherboard, tile and thatch. Both properties occupy spacious, wide plots, characteristic of a rural hamlet location. To the south and west of Ashleigh is an arable field which is separated by low boundaries. As such the bungalow is a visible property both from within the conservation area and from a well-used public footpath to the south-west which connects Patmore Heath to Albury.
5. Both parties accept that the proposals represent a substantial increase, with the Council submitting that it would result in a 145% increase in volume. The proposals would effectively remove all trace of the scale and appearance of the existing bungalow and the result would be a sizeable house, albeit on a very similar footprint. The altered property would extend to a new ridge height of

- some 8.2 metres, including the rear gable extension, and this would give it a bulky appearance. It would be appreciably taller than other nearby traditional cottages in this corner of Patmore Heath. Whilst the proposed materials would better reflect those found elsewhere in the conservation area, the scale and height of the altered property means it would be conspicuous. In particular it would have a harmful enclosing effect on the particular rural openness at the corner edge of the conservation area. It would also be prominent in the wider rural landscape, especially when viewed from the public footpath to Albury.
6. Whilst the existing bungalow is simple in its character and appearance, there are other bungalows nearby in the conservation area and as such I do not find Ashleigh to be a discordant property. Its low profile helps its integration into the open, corner location and it does not dominate the nearby modest traditional cottages. The property is set slightly lower than the highway but not to any appreciable extent that would offset the harmful impact from the overall scale and bulk of the appeal proposals.
  7. Substantial front porches are not part of the character and appearance of the conservation area, with properties having generally unaltered and uncluttered frontages to the heath. Whilst the appellant has referenced a front porch at Heath House this has limited comparison due to the property being set behind other houses down a private driveway with a very limited relationship to the heath. As such I was not able to view it. In contrast the full front porch on Ashleigh would occupy a prominent corner position, emphasising what would be an uncharacteristic feature.
  8. A number of properties have clearly been adapted and extended in the conservation area. I have limited information about their planning history. However, the referenced examples do not share the same open, conspicuous situation as the appeal dwelling. As such their alterations are not prominent due to their scale being notably less than the appeal proposals or by the proximity of similarly scaled buildings. I also visited the new dwelling at 'Paddock View' in Furneux Pelham. Whilst this is a highly comparable scheme in terms of scale and design, because it is not near the conservation area this limits comparison in terms of both its context and development plan policy.
  9. The appellant has submitted that a benefit of the extension would be the transformation of what they describe as currently an 'unattractive' and 'aesthetically unappealing' building to create a better living space. Whilst harm to the significance of the conservation area would be less than substantial, I nonetheless find the benefit is not sufficient to outweigh that harm.
  10. I therefore conclude that, by virtue of its disproportionate scale and bulk and its uncharacteristic full front porch, the appeal proposal would fail to preserve the character or enhance the appearance of the Furneux Pelham Conservation Area. As such it would be contrary to Saved Policies GBC3 and ENV5 of the East Hertfordshire Local Plan Second Review (LP) which seek to manage the scale and size of extensions to existing rural houses so that they do not disproportionately alter the size of the original dwelling or intrude into the open or rural qualities of the surrounding area. It would also compromise the design objectives of LP Policies ENV1 and ENV6 LP and conflict with Policy BH5 which expects new extensions in conservation areas to be sympathetic to the character and appearance of the area. It would also conflict with the objectives of the National Planning Policy Framework to conserve heritage assets and respond to local context.

11. The appeal property is directly opposite a large pond on the Patmore Heath Site of Special Scientific Interest. Therefore the precautionary approach of the Council in this regard is justified and the absence of an ecological assessment adds to my concerns about the appeal proposals.
12. The appellant claims that the local planning authority did not carry out an appropriate site visit when assessing the application. This is primarily a procedural matter between the appellant and the Council. I have visited the property, the conservation area and the examples submitted by the appellant. Accordingly, I have assessed the proposal on its own merits and have shared the Council's view that in respect of character and appearance the proposal would be unacceptable.
13. For the reasons given above, and having regard to all other matters including the lack of harm to neighbours' living conditions, I conclude that the appeal should be dismissed.

*David Spencer*

INSPECTOR