



# Appeal Decision

Site visit made on 25 July 2022

**by C Harding BA(Hons) PGDipTRP PGCert MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 25<sup>th</sup> August 2022**

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**Appeal Ref: APP/J1915/W/21/3285620**

**Land at 17 Highfield Road, Hertford SG13 8BH**

- 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 S & H Chapps and Rockwell Homes Ltd against the decision of East Hertfordshire District Council.
  - The application Ref 3/21/2092/FUL, dated 6 August 2021, was refused by notice dated 29 September 2021.
  - The development proposed is construction of detached house with garage and parking, including access arrangements on land adjacent.
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## Decision

1. The appeal is dismissed.

## Main Issues

2. The main issue is whether the proposed development would preserve or enhance the character or appearance of Hertford Conservation Area and non-designated heritage assets.

## Reasons

3. The appeal site is located within the Hertford Conservation Area (the CA). As such I have had regard to the duty to pay special attention to the desirability of preserving or enhancing its character or appearance. The significance of this the CA is, in part, derived from the prevalence of traditionally designed properties, generally sited within mature landscaped sites containing large, established trees. Whilst there are variations in the character of individual streets within this part of the CA, within each there is a strong consistency in terms of scale, form and layout.
4. The site is situated on a corner plot at the junction of Highfield Road where properties are closer to the road and Morgan's Road where there is a generous set back. While there is some variation between different streets, within each, and along the same side of the road as the appeal site there is a strong consistency to the scale, form, layout and spacing. Mature landscaping within both the street and plots also gives a verdant appearance to these streets. Existing landscaping and trees filters views of the built form located behind, although less so from Highfield Road due to the lower boundary treatments and higher tree canopies.
5. Nevertheless, the steady rhythm of properties and spaciousness of the streetscene that the wide plots and set back positions provide along the same side of these roads as the appeal site is obvious from surrounding streets.

While not identified in the CA appraisal as a 'green finger' or important open space, the absence of development and landscaping at the appeal site, which is particularly prominent given its corner location, contributes positively to the verdant open character and appearance of the area. It also serves as a valuable neutral focal point within this part of the CA, providing an interface between two streets of differing character.

6. The proposed development would occupy a large part of the open space that currently exists beyond the existing boundary treatments, largely within an existing lawn area, and would be set slightly forward of some properties on Morgan's Road, in particular those located closest to the appeal site. It would also result in the loss of a section of the existing boundary wall on Highfield Road.
7. Despite existing vegetation being retained, the new dwelling would be visible from Highfield Road, and from the approach from Bullock Lane. It would also, despite the existing boundary wall and vegetation, be visible to a lesser extent from Morgan's Road through filtered views. Although the design of the property would draw on aspects of those nearby, the location of the proposed development within this space, would, as a result of its siting, scale and form, erode the sense of visual neutrality that the appeal site currently possesses.
8. Furthermore, the presence of a smaller dwelling compared with those around it, situated within what would constitute a relatively small plot when viewed in the context of those adjacent, in close proximity to its neighbours, and forward of the building line of Morgan's Road, would not only be at odds with the strong character that is currently evident in surrounding streets, but also lead to the loss of the sense of visual cohesion and buffering that the site currently exhibits. Accordingly, the proposed development would result in less than substantial harm to the character of the CA.
9. There are a number of non-designated heritage assets (NDHAs) in the vicinity of the site, including nearby residential properties, the boundary wall at the appeal site, and the letterbox contained therein.
10. The significance of the boundary wall derives, in part, from its age, height, prominence and the manner in which it wraps around the site in a continuous manner. The letter box further highlights the prominence and importance of this corner plot as a point of interface. Part of the boundary wall at the appeal site would be lost in order facilitate the provision of access, however the letter box would remain directly unaffected.
11. Although other boundary walls within the area are punctuated by driveway openings, the proposed development would result in harm to the existing boundary wall, as the continuity of this boundary treatment would be eroded. The effect on the existing letter box would be neutral, with it being retained in its current location and physically unaffected by the development. There would also be harm to the setting of nearby properties, including the neighbouring Queens Hill House, which is an NDHA, as a result of the erosion of the positive character of the site as an undeveloped area, and the way in which the proposed development would address the established building line of Morgan's Road. This would amount to moderate harm to the NDHAs.
12. I therefore conclude that the proposed development would fail to preserve the character or appearance of the CA and NDHAs. Accordingly, the development

would be contrary to Policies HOU11, DES2, DES3, DES4, HA1 and HA4 of the East Herts District Plan 2018 which seek to ensure that new developments conserve, enhance or strengthen the distinctiveness of the local landscape and its features; that developments be of a high standard of design and layout to reflect local distinctiveness; that development preserve and, where appropriate, enhance the historic environment, including the special interest of Conservation Area; and be appropriate to the character, appearance and setting of the surrounding area.

### **Other Matters**

13. I am satisfied that the proposed access would be safe, having regard to the level of visibility within the street, and the low traffic speeds that I was able to observe at the time of my site visit. I also acknowledge that the introduction of the driveway could lead to a reduction in inconsiderate parking close to a junction, which would be a benefit of the proposed development.
14. Even if I were to agree that the scheme would not harm the living conditions of occupiers of neighbouring properties, or future occupiers of the proposed development, and would provide adequate mitigation with regards to energy efficiency, these would be a neutral factors and would not weigh in favour of the scheme.
15. The National Planning Policy Framework ('the Framework') advocates the support of development that makes efficient use of land, however this is not unqualified, and amongst other matters also requires consideration of the desirability of maintaining the character of the area within which new development is proposed to be located. Having found harm to the character and appearance of the CA, I do not afford this factor weight in favour of the proposed development.

### **Conclusion**

16. The harm the proposed development would cause to the significance of the CA would be less than substantial. Paragraph 202 of the Framework states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
17. The provision of a single dwelling would make a positive, albeit very modest contribution towards boosting housing supply. This would, in turn, provide employment during construction, although this would be time limited. There would also be other social and economic benefits to Hertford and the wider area, in terms of economic activity and supporting local services. These would however also be limited by the scale of the proposed development. I also acknowledge that the proposed development could potentially remove an opportunity for inconsiderate parking on Highfield Road, and this would also be a minor benefit of the proposal.
18. It is stated that the proposed development would also facilitate repairs to the remaining boundary wall in the form of repointing and replacement coping where required. It was evident at the time of my visit that although the wall was not in poor condition, that this work would likely be beneficial to the longevity of the overall structure. Notwithstanding this, the proposed repairs

would not appear to be directly reliant on the proposed development being carried out and could be undertaken at any time as part of a regular maintenance regime. Accordingly, I afford this benefit only very limited weight.

19. The proposal would have a negative effect on the significance of a designated heritage asset and the Framework states that great weight should be given to the conservation of the asset. The public benefit identified would not outweigh this harm, nor the harm to non-designated heritage assets. Moreover, the proposal would also result in moderate harm to NDHAs within the vicinity of the appeal site. The benefits of the proposed development do not outweigh this.
20. For the reasons given above, I conclude that the appeal is dismissed.

*C Harding*

INSPECTOR