



Appeal Decision

Site visit made on 19 February 2019

by **P B Jarvis BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 18th March 2019

Appeal Ref: APP/J1915/W/18/3213851

High Trees, Great Hornead, Buntingford SG9 0NR.

- 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 and Mrs David Ginn against the decision of East Hertfordshire District Council.
 - The application Ref 3/18/0349/OUT, dated 16 February 2018, was refused by notice dated 12 April 2018.
 - The development proposed is demolition of existing 4 bedroom dwelling and erection of four new 4 bedroom dwellings.
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Procedural Matters

1. Since the appeal application was determined the East Herts District Plan 2011 to 2033 (2018) (DP) has been adopted. I therefore refer to the policies of that plan in my decision below.
2. The appellant has submitted an amended site plan (drawing no. NB107-2/101/B) as part of the appeal submission which shows a revised siting for the plots. I have taken this into account in my decision.

Decision

3. The appeal is dismissed.

Main Issues

4. Since the application was refused, as part of the appeal submission the appellant has provided a flood risk assessment (FRA) and amended plan (noted above) which shows an 8.5 metre buffer to the adjoining brook. The Council has confirmed that this overcomes their concerns regarding potential risk of flooding and that provided a condition is imposed to ensure that the works are undertaken in accordance with the FRA and to ensure that the buffer is maintained, their objections in this respect would be overcome.
5. Therefore, the main issue is the effect on the character and appearance of the area, including the Great Hornead Conservation Area.

Reasons

6. The appeal site is located within the village of Great Hornead which has a small number of local facilities including school, church, pub and village hall. The appeal site is a large plot located on the western edge of the main built up part of the village. The existing large detached dwelling is set back from the

- road frontage in the rear half of the site. The Great Hormead brook runs along the site frontage, parallel to the main village road, over which a bridge provides vehicular access to the site.
7. The site lies within the Great Hormead Conservation Area and the adopted management plan (Plan 2) identifies a number of trees to the front of the site and along the western boundary as important trees to be protected. It also lies within an Area of Archaeological Significance. DP policy HA4 requires new development to preserve or enhance the special interest, character and appearance of the area, including amongst other things, established building lines, layouts and patterns.
 8. The site lies within the settlement boundary identified in the DP and as Great Hormead is a Category 2 village, limited infill development is supported in principle in accordance with DP policy VILL2 subject to a number of criteria, including that it should relate well to the village in terms of layout, be well designed and in keeping with the character of the village
 9. The pattern of built layout and form within the village is varied with some development 'in depth' being an historic characteristic of some parts. However, in the vicinity of the appeal site, the pattern of development is somewhat different being characterised by a looser form of large detached properties of more modern appearance set in spacious treed grounds, particularly along the frontages. This is reflected by the appeal site and by the neighbouring site to the west.
 10. As indicated on the amended plan referred to above, the proposal would involve the replacement of the existing large dwelling with three detached dwellings, plots 2-4, located along the same building line in the rear part of the site. However, plot 1 would be located to the north of these, closer to the road frontage, in an area that is currently open and undeveloped with a number of mature trees around it. This area is forward of the established building line on the site, which is generally reflected on the adjoining plot to the west albeit that dwelling extends slightly closer to the road than the existing dwelling on the appeal site.
 11. I consider that this undeveloped area to the front of the plot contributes to the open and spacious character of this part of the conservation area and the introduction of a dwelling within it would not only detract from that character but would also appear at odds with the established pattern of built form within the immediate setting of the site in this part of the village.
 12. I note that the next nearest dwelling to the east is set further forward in its plot, closer to the road frontage. However, that dwelling appears to front the lane which runs south from the main road at this point and therefore appropriately addresses that streetscene. In addition, the dwelling itself is located some distance from the appeal site and does not form part of its immediate context. The appellant has also referred to the pattern of built development opposite the site on the northern side of the village road. However, this part of the village appears to reflect an historic layout with many of the older cottages within it addressing a lane running northwards from the road. The village hall which has been recently built quite close to the road frontage reflects this pattern and layout which is rather different from the characteristics of the appeal site and its immediately adjoining surroundings.

13. I therefore find that the proposal would harm the character and appearance of the area and would fail to preserve or enhance the character or appearance of the Great Hornead Conservation Area. It would thus fail to comply with DP policies HA4 and VILL2 and the duty under Planning (Listed Buildings and Conservation Areas) Act 1990.

Other Matters

14. The Framework seeks generally to boost housing supply and make effective use of land, but this should be in the right locations having regard to the need to respond to local distinctiveness and character and safeguard the natural and historic environment. In the rural areas it supports the provision of housing where this would enhance or maintain the vitality or rural communities. However, the harm to the historic environment would not be outweighed by the public benefits. Taking account of all relevant policies as a whole and noting that significant conflict would arise with the environmental objectives of the Framework, I find that overall that its aims would not be met.
15. The appellant has also referred to a further application for three houses on the appeal site which has recently been approved, but that did not include a house to the front of the site as is proposed in this appeal scheme.

Conclusions

16. I find that the proposal would have a significantly harmful impact on the character and appearance of the area and, overall, there would be conflict with the development plan. Material considerations do not outweigh this harm and I do not find the proposal to be sustainable development.
17. For the reasons set out above, I conclude that this appeal should be dismissed.

P Jarvis

INSPECTOR