
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/X1925/W/18/3217700

Land rear of 3 Crunnells Green, Preston, Hitchin, Herts SG4 7UQ.

- 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 N Rayburn against the decision of North Hertfordshire District Council.
 - The application Ref 18/02229/FP, dated 17 August 2018, was refused by notice dated 15 October 2018.
 - The development proposed is the construction of a four bed 'Eco' house.
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Decision

1. The appeal is dismissed.

Main Issue

2. The Council has confirmed that having regard to extant and emerging local policy, there is no objection to the principle of a single dwelling house on the appeal site.
3. Therefore, the main issue is the effect on the character and appearance of the area including the Preston Conservation Area and setting of Crunnells Green Cottage, a Grade II listed building.

Reasons

4. The appeal site comprises part of the garden area of 3 Crunnells Green, a large detached dwelling which sits in an extensive plot at the corner of Crunnells Green and Back Lane, on the southern edge of the village. The host dwelling has mature hedges to the road frontage and a number of trees and other planting within the garden area. On the appeal site itself, there is a single storey 'L shaped' stable / workshop with hardstanding to the front; the remainder is lawn with a disused vegetable patch to the north. There are established hedges to all boundaries. A small belt of trees fronts the lane along the south-east boundary.
5. The appeal site is located in the southern part of the Preston Conservation Area. This part of the village, in contrast to the main built up part to the north, has an undeveloped, semi-rural character. The existing property is one of a few which make up a small group, including Crunnells Green Cottage, a Grade II listed building, to the south-east on the southern side of the lane, and two properties to the west fronting Back Lane. The land immediately to the north of this small group of dwellings appears to be paddock land, beyond which is the school and associated open playing fields with the main built up part of the

village further to the north. Crunnells Green House is located some distance to the north-east fronting the main road into the village, School Lane.

6. The proposed dwelling is described by the appellant as a two-storey 'eco' dwelling, which would have the character and appearance of a traditional barn. However, the plans show that it would be of an angular 'L shape' with vertical timber cladding and hipped roof at one end and gable end at the other finished in metal. It would have a flat-roofed front addition incorporating the main entrance to the property, with a number of varied window sizes and designs and would include a large balcony at its northern end.
7. In my opinion, its overall form could not be said to reflect an agricultural barn which would be simpler in its form and appearance. Nor am I convinced that the varied and quite 'busy' fenestration and proposed materials are reflective of the character of such a building. Furthermore, the flat-roofed element and balcony would be incongruous additions.
8. Whilst a modern design approach would not necessarily be inappropriate in this location, I consider that overall the proposed dwelling would fail to provide a design that reflects and responds to its context and would incorporate materials and design features that are not reflective of the rural character of its surroundings. In my view it would fail to complement the built context within which it would be seen, primarily that of the red brick and tiled 3 Crunnells Green and the rendered and tiled, Grade II listed, Crunnells Green Cottage. Notwithstanding the verdant nature of the site and its surroundings, I consider that it would be visible, particularly given its height. In any event, there remains a need to ensure that the proposal complements the character of the site, regardless of how visible the building might be.
9. Overall I find that the proposal would have a harmful impact on the character and appearance of the area, including the Preston Conservation Area. It would conflict with Policies 6 and 57 of the North Hertfordshire District Local Plan With Alterations (1996) (LP) which seek to ensure that development relates to the site and its surroundings, does not have an adverse impact on the local environment, enhances the character of the area and provides a high standard of design. I note that the Council has not cited these policies in its decision notice, but they appear to remain the currently adopted policies of the development plan that I have been referred to in the context of the main issue; in my opinion, they are not wholly inconsistent with the National Planning Policy Framework (2019) (the Framework) such that weight can be accorded to them.
10. It would also conflict with emerging policy HE1 of the North Herts Local Plan (proposed submission) (2016), which seeks to ensure that heritage assets can be used in a manner that secures their conservation and preserves their significance. Whilst this policy appears to me to have more consistency with the Framework, the plan has yet to be formally adopted so at this stage cannot be given full weight.

Other Matters

11. For the reasons given above I also find that the proposal would fail to accord with Sections 66 and 72 of Planning (Listed Buildings and Conservation Areas) Act 1990 which require special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area or

setting of a listed building. I consider that the site does lie within the wider rural setting of Crunnells Green Cottage notwithstanding that it would be some distance from it and whilst there is intervening vegetation this would not completely screen the development.

12. The policies contained in Sections 12 and 16 of the Framework Sections are, amongst others, also relevant. In particular, paragraph 127 states that planning decisions should ensure that, amongst other things, developments are sympathetic to local character and history including the surrounding built environment. At paragraph 192 it states that account should be taken of the desirability of new development making a positive contribution to local character and distinctiveness and at paragraph 196 that where a proposal will lead to less than substantial harm, which I consider to be the case here, the harm should be weighed against the public benefits.
13. On the basis of the information provided, it seems to me that the public benefits will be mainly associated with the provision of a dwelling to boost local housing supply. In addition, the stated 'eco' credentials of the property, including solar gain heating, insulation to Passivhaus standards and Lifetime Homes standards will produce a highly energy efficient and adaptable dwelling. Whilst these benefits would be of some weight and are supported by other Framework policies, I do not find them to be sufficient to outweigh the significant harm identified.
14. The appellant has referred to other permissions granted locally using contemporary detail and design. However, as noted above, I do not consider that a contemporary design is necessarily inappropriate but having regard to the particular design approach and site context in this case, I do not find that it would be a sympathetic solution.

Conclusions

15. Overall I find that the proposal would be an unacceptably harmful form of development. For the reasons set out above, I conclude that this appeal should be dismissed.

P Jarvis

INSPECTOR