
Appeal Decision

Site visit made on 16 May 2017

by L Fleming BSc (Hons) MRTPI

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

Decision date: 31 May 2017

Appeal Ref: APP/X1925/D/17/3169309

6 Walnut Tree Road, Pirton SG5 3PX

- 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 & Mrs Bruce Writer against the decision of North Hertfordshire District Council.
 - The application Ref 16/02209/1HH, dated 25 August 2016, was refused by notice dated 6 December 2016.
 - The development proposed is a two bay detached heritage style timber garage with storage bay to be constructed in the side garden area.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area bearing in mind it would be within the Pirton Conservation Area (CA) and within the settings of the Toot Hill scheduled monument and the grade II listed 4-6 Walnut Tree Road (Nos 4 to 6).

Reasons

3. In accordance with the duty imposed by section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 I am required to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Furthermore, section 66(1) of the same Act requires that special regard must be had to the desirability of preserving the setting of listed buildings. Moreover, monuments listed under section 1 of the Ancient Monuments and Architectural Areas Act 1979 are designated heritage assets of national importance.
 4. The appeal property is a semi-detached dwellinghouse and garden which forms part of the grade II listed Nos 4 to 6. The proposed building would be positioned to the south of the appeal dwelling on a narrow triangular area of garden at the entrance to the CA. A public footpath crosses the appeal site and leads to a large open area with mounds and ditches which are the earthworks of the castle motte Toot Hill scheduled monument (SM).
 5. When travelling north along Walnut Tree Road alongside the appeal site entering the main built up part of Pirton, gaps in the boundary trees and hedging afford glimpses of the SM to the west. Furthermore, upon approaching the village there are relatively long range views of Nos 4 to 6 an attractive white rendered slate roof dwelling adjoining a larger timber framed thatched roof dwelling. The buildings in the CA display a range of traditional
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- architectural details, are finished in complementary materials and are mainly set back from the road with mature planting in front gardens.
6. In my view, the significance of the CA and the listed buildings within it is derived from the architectural interest of the buildings grouped together in a traditional street pattern within a verdant rural setting. The significance of the SM is derived from its history as a medieval fortification and the associated landscape features that remain.
 7. I acknowledge that the scale of the proposed garage has been reduced from that originally proposed. However, it remains a large building which would be prominently located at the entrance to the CA and relatively close to Nos 4 to 6. Whilst incorporating a slate roof its contrasting timber clad finish would draw attention to a significant bulk of development in the foreground of the grade II listed Nos 4 to 6.
 8. Through its scale and contrasting finish the proposed building would compete with Nos 4 to 6 and draw attention away from it upon entering the village. This would harm the setting of the grade II listed building and its significance. Furthermore, the proposed building at the entrance to the CA in place of a relatively open green area would erode the verdant and rural setting of the village, thus failing to preserve the character or appearance of the CA.
 9. I have considered the photographic evidence provided by the appellant showing views to and from the SM and views in and around the village. However, gaps in the appeal site boundary vegetation afford glimpses of the open and varied topography of the SM. Whilst additional landscaping would screen views of the development from the SM, when approaching from Walnut Tree Road to access the SM through the public footpath the proposed building would appear as a large solid and stark feature amongst soft mature landscaping. Through its prominence and contrasting form in the foreground and on a main route to the SM the proposed development would harm its setting and its significance.
 10. Thus, overall I find the proposal would harm the character and appearance of the area and would harm the settings of designated heritage assets. It would therefore fail to accord with paragraph 132 of the National Planning Policy Framework (the Framework), which attaches great weight to the conservation of designated heritage assets and their settings.
 11. For the same reasons the proposal would not accord with saved Policy 57 of the North Hertfordshire District Council District Local Plan No. 2 with Alterations Originally adopted April 1996 Written Statement (2007) which among other things seeks to achieve good design.
 12. That said, in the context of the significance of the heritage assets as a whole, I would calibrate the harm arising from the proposed development, in accordance with paragraphs 133 and 134 of the Framework, as less than substantial. In these circumstances, the Framework requires the degree of harm to be balanced against any public benefits the development may bring.
 13. There would indeed be some benefits, such as the removal of the existing garage, additional planting and the opportunity to store cars and domestic paraphernalia away from public view. There may also be economic benefits associated with construction. However, these combined benefits are modest,

and do not outweigh the great weight I must attach to the harm I have identified to the designated heritage assets and their settings.

Conclusion

14. For the reasons set out above having had regard to all other matters raised I conclude that the appeal should be dismissed.

L Fleming

INSPECTOR