
Appeal Decision

Site visit made on 10 October 2016

by J Flack BA Solicitor

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

Decision date: 25 October 2016

Appeal Ref: APP/A1910/Y/16/3154234

No 1 & 2 The Red House, The Green, Little Gaddesden, Berkhamsted, Hertfordshire HP4 1PL

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr and Mrs T Crossley-Smith against the decision of Dacorum Borough Council.
 - The application Ref 4/00752/15/LBC, dated 25 February 2015, was refused by notice dated 19 January 2016.
 - The works proposed are installation of conservation rooflight.
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Decision

1. The appeal is dismissed.

Preliminary matter

2. The appeal proposal is a resubmission of a previous proposal which was refused listed building consent by the Council. That decision was upheld on appeal¹. Bearing in mind the need for consistency in planning decisions, the previous appeal decision is of some materiality to my assessment. However, I have assessed the appeal proposal on the basis of the evidence which has been provided to me, which includes a planning and heritage statement.
3. At appeal the appellants have expressed dissatisfaction with the manner in which the Council handled the application. Whilst I note their concerns, my assessment is limited to the merits of the proposal.

Main Issues

4. The main issues in this case are whether the proposed works would preserve the Grade II listed building known as The Red House or any features of special architectural or historic interest that it possesses, and whether or not they would preserve the character or appearance of the Little Gaddesden Conservation Area.

Reasons

5. The Red House dates from 1870 and was originally the Agent's house and estate office for the Ashridge Estate. It has subsequently been divided into three dwellings: the appellants occupy Nos 1 and 2, which have been recombined, whilst No 3 is occupied separately. The principal elements of this

¹ APP/A1910/E/2203818, 10 June 2014

impressive house are of two storey height with attic accommodation. They possess a complex form which features steeply pitched gable roofs and prominent ornate chimneys, and the principal garden-facing elevations also possess an exuberant and richly detailed approach to design, featuring extensive use of polychrome brickwork. I saw on my visit that there are other houses in the vicinity which share some features of this design approach, together with some dwellings of obviously greater antiquity. The character of the locality is clearly influenced by its location and role within the estate of nearby Ashridge House, which can be glimpsed across The Green through a gap between trees. It follows that The Red House makes an important positive contribution to the conservation area.

6. The proposed rooflight would be installed in the rear roof slope of a single storey element (the outbuilding) of the listed building. This lies to the rear of the principal elements of the house and adjoins the boundary with the extensive plot of Lutece, a detached dwelling. I understand that the outbuilding was originally detached from the house, but was quite recently attached to it during the 1990s by a linking projection which has also extended the outbuilding by a modest amount to the south west. This modern element provides a kitchen and breakfast room to Nos 1 and 2: the rooflight would serve an adjoining utility room within the larger historic section of the outbuilding. The remainder of this section now forms part of No 3. The outbuilding has always formed part of the listed building, albeit initially by virtue of being a structure within the building's curtilage, although this does not of itself indicate that it makes any particular contribution to the significance of the listed building.
7. The list description records that the yards behind the house were the estate workshops. The appellants refer to a review of historic OS maps and other documents which are suggestive that the workshop buildings were located close to the former traction engine shed. However, I have not been provided with any details of the review. The scale and position of the historic element of the outbuilding does not seem to me obviously inconsistent with use for estate operations as opposed to merely ancillary domestic functions. There is thus some possibility that the former use was the original purpose of the outbuilding, which would enhance its importance, noting also that the Red House was not built simply as a dwelling but for the undertaking of estate functions through the estate office.
8. The historic section of the outbuilding has a plain and modest appearance, this being particularly apparent at the rear, where the rear elevation consists of a plain brick wall, the only modern intervention here being a small air vent. This is a location where there are no public views, but this is not a matter which counts materially in favour of the proposal given that listed buildings are designated in the light of their inherent qualities, not the extent to which these can be appreciated by the public. Although the rear roof slope is faced with relatively recent concrete tiles, this does not detract substantially from the attractive simplicity of the pitched roof form, and there is no suggestion in the evidence before me that this is not original. The rear roof slope is interrupted only by a plain chimney which appears to be of considerable age, and thus possesses a high degree of integrity. The modern extension to the outbuilding displays considerable respect to these qualities, constructed of plain brickwork with simple fenestration.

9. The outbuilding clearly does not possess the rich architectural detailing and elaborate form of the principal elements of the house, but this does not mean that it is of little or no importance. In my view this contrast instead serves to confirm the status of the outbuilding, despite the modern extension, as a distinct and appealing subsidiary structure which possesses some charm and continues to speak of its historic role in supporting the house and possibly the broader functioning of the estate. It therefore makes a material contribution to the significance of the listed building
10. The essential plainness and simplicity of the outbuilding are however qualities which make it very sensitive to further alterations, this being particularly the case at the rear. The appellants assert that many such outbuildings would have incorporated rooflights. However, I have not been provided with detailed examples, and in any case there is no suggestion that the appeal outbuilding ever possessed a rooflight or that the proposal would amount to restoring a missing feature. I acknowledge that the proposed rooflight would be of a traditional flush fitting design, but in its context it would nevertheless appear as a prominent and detrimental intervention. It would unacceptably harm the integrity of the rear roof slope and diminish the character of the outbuilding, thereby lessening the contribution this makes to the special architectural and historic interest of the listed building.
11. Moreover, although the concrete tiles of the roof slope are clearly not historic fabric and the utility room has an apparently modern ceiling, there is no evidence that the roof structure between them is also modern. Whilst the appellants assert that the rooflight could be inserted between structural timbers, there is no supporting evidence to demonstrate that this would be feasible. There is therefore some possibility that the proposal would result in a loss, albeit minor, of historic fabric. This adds to my concerns.
12. I appreciate that there have been various extensions and alterations to other elements of the listed building. One example is a conservatory which occupies much of an internal courtyard between the outbuilding and the principal elements of the house, but to my mind this increases the vulnerability of the outbuilding to alterations rather than serving to justify them. My attention has also been drawn to a number of existing rooflights, but they are located within the complex roof forms comprised in the principal elements of the listed building and I have been given little information about the context and considerations which led to their approval. I am therefore not persuaded that these existing rooflights provide a precedent for the appeal proposal or serve to justify it.
13. For the reasons given above, I conclude that the proposed works would fail to preserve the special architectural and historic interest of the listed building, the desirability of which is a matter to which I am required to have special regard by section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act). For the same reasons, although there would be no public views of the rooflight, the proposal would nevertheless diminish the contribution that the listed building makes to the conservation area, albeit to a very modest degree. I therefore conclude that the proposed works would fail to preserve the character and appearance of the conservation area, the desirability of which is a matter to which special attention must be paid pursuant to section 72 of the Act. There would also be conflict with Policy CS27 of the Core Strategy² and

² Core Strategy 2006-2031, adopted 25 September 2013

Policy 119 of the Local Plan³, which reflect the above statutory duties and aim to protect the historic environment.

14. For the purposes of the National Planning Policy Framework, the listed building and the conservation area are designated heritage assets. Within their overall context, I consider that the proposal would lead to less than substantial harm to their significance. Paragraph 134 of the Framework requires that such harm be weighed against the public benefits of the proposal.
15. The appellant contends that the rooflight would provide benefits through providing increased light and ventilation. I do not see that the former would amount to a material public benefit. The utility room is already provided with some natural light from partly glazed doors to the courtyard and breakfast room. Moreover, this is not a habitable room, and some reliance on artificial light is not detrimental to the living conditions of occupiers of Nos 1 and 2. As to improved ventilation, I acknowledge that the appliances installed in the utility room would generate some heat and humidity, but this would not be likely to be continuous in a domestic context. Nor is there evidence that the appliances are currently causing any substantive harm to the fabric of the outbuilding, or that less intrusive means of providing additional ventilation would not be practical or effective.
16. The Act requires that considerable importance and weight are to be given to the desirability of preserving the listed building and the conservation area: I conclude that the public benefits of the proposal would be very modest and would not outweigh the material harm which would be caused to the designated heritage assets. Moreover, the great weight to be apportioned to the conservation of designated heritage assets anticipated in paragraph 132 of the Framework affirms this conclusion: it follows that the proposal would be contrary to the historic environment policies of the Framework.
17. I have taken into account all other matters raised in the evidence before me. However, nothing arises which disturbs my conclusions on the main issues. The appeal is therefore dismissed.

J Flack

INSPECTOR

³ Dacorum Borough Local Plan 1991 – 2011, adopted 1 April 2004