
Appeal Decision

Site visit made on 27 June 2019

by Brendan Lyons BArch MA MRTPI IHBC

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

Decision date: 18th July 2019

Appeal Ref: APP/B1930/Y/19/3220535

44 Church End, Redbourn, Herts AL3 7DU

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a failure to give notice within the prescribed period of a decision on an application for listed building consent.
 - The appeal is made by Mr Peter Edwards against St Albans City & District Council.
 - The application Ref 5/18/2749 is dated 12 October 2018.
 - The works proposed are a single-storey rear extension.
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Decision

1. The appeal is allowed and listed building consent is granted for a single-storey rear extension at 44 Church End, Redbourn, Herts AL3 7DU in accordance with the terms of the application Ref 5/18/2749 dated 12 October 2018, subject to the conditions set out in the schedule annexed to this Decision.

Main Issue

2. The appeal is submitted against the Council's failure to determine an application for listed building consent for a single-storey rear extension. The Council has subsequently confirmed that it would have refused the application and has provided a copy of an officer's report setting out its position. I have had regard to this document in considering the appeal.
3. I have not been informed of any application for planning permission, and have considered the appeal solely in terms of heritage issues.
4. The main issue is the effect of the proposed extension on the special interest of the listed building and on the character and appearance of the Redbourn Conservation Area.

Reasons

5. Much of the south side of Church End is lined by a varied row of traditional cottages that front directly onto the roadway. No.44 and its adjoining neighbour No.40 are timber-framed houses, of two storeys with an attic floor lit by dormer windows to the front. The houses date from the mid-seventeenth century and are listed Grade II. Because of the value of these and the other houses that form an attractive street scene, Church End is identified as an important component of the Redbourn Conservation Area.
6. There is a gap of some 1.6m separating the western gable of No.44 from the gable of No.46, which appears to be of somewhat later date. This gap forms a

shared passage leading to gates to the two rear gardens, which are separated by a high wall. Consent is now sought for a single-storey extension to No.44 that would project from the rear wall by some 4m and would have a width of some 3.9m, continuing past the gable end to meet the side garden wall, with a new doorway opening off the shared passage. The extension would provide a 'garden room' and toilet.

7. In considering a proposal for the alteration of a listed building, statutory duty¹ requires that special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. A similar duty applies in respect of the preservation or enhancement of the character or appearance of a conservation area². National policy guidance set out in the National Planning Policy Framework ('NPPF') confirms the great weight in favour of the conservation of 'designated heritage assets' such as listed buildings and conservation areas³. The particular significance of any element of the historic environment likely to be affected by a proposal should be identified and assessed⁴. Any harm should require clear and convincing justification⁵.
8. In this case, there is no dispute that the special interest of the listed houses lies in their well-preserved survival as examples of vernacular design and construction of the period, as illustrated particularly by their simple gabled form and by their exposed timber framing, brick infill and weatherboarding and plain tile roof.
9. The proposed extension would also have a simple gabled form and would be built in materials to match the existing rear elevation and roof. Its footprint would be relatively large compared with the small area of the house, but it would not dominate the original building. The ridge of its roof would be kept well below the eaves so that the overall bulk of the extension would continue to appear subsidiary. Its projection from the rear wall of the house would be kept inside that of the rear addition to No.46, and only slightly greater than that to the rear of No.40, so that it would appear well integrated in its context.
10. The proposal's form and treatment would echo that of an extension granted planning permission and listed building consent by the Council in 2015. Those approvals tend to support the appellant's view that the principle of an extension of this type and location has been established.
11. The Council is concerned that the extension would be larger in scale and squarer in proportion than the earlier approved design. I agree that the current proposal would be slightly more assertive than the very modest approved scheme. But the additional width would be only some 800mm, and would not greatly affect the ability to appreciate the form and character of the original house.
12. As a result of the additional width, the front corner of the proposal would be visible from the street along the shared passage. I do not share the Council's concern that this would result in a cluttered appearance, when seen in

¹ Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990

² Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990

³ NPPF paragraph 193

⁴ NPPF paragraphs 189, 190

⁵ NPPF paragraph 194

conjunction with the porch roof to No.46, or that the relationship between the two buildings would be fundamentally altered.

13. However, I agree that there is a discrepancy on the submitted plans that shows the proposed roof encroaching forward into the passage, and which would result in an unsatisfactory junction between the extension and the original building. It is important that the extension should have a clear identity, with minimal disturbance of the original fabric, as proposed for the retained post adjoining the proposed door. The discrepancy on the plans can be addressed through a condition.
14. I accept the appellant's case that the introduction of glazed doors on the south elevation of the extension would allow more sunlight to penetrate into the depth of the house, and would offer a better visual connection between the kitchen and the rear garden than in the earlier scheme. The proposed retention of the first-floor door to allow movement of large items of furniture would also be an improvement over the earlier approved scheme. With these changes, the additional floor space provided by the extension should assist the long-term viable use of the house.
15. For the above reasons, I do not endorse the Council's fears that the proposal would have an adverse impact on the special interest of the listed building, which would be preserved. The proposal would form part of a pattern of rear extensions to houses on Church End and other than the glimpsed view from the front, would not be visible from surrounding roads. There would be no harm to the character and appearance of the conservation area.

Conditions

16. The Council has proposed eight conditions, to which the appellant raises no objection. Subject to some amendment in the interests of precision, I agree that they are reasonable and necessary. In addition to the control of commencement time required by statute, a condition identifying the approved plans is necessary to confirm the extent of the permitted works. Approval of materials, including sample panels, and of details of connection with the existing building are needed to ensure that its special interest and the character and appearance of the conservation area would be preserved. The specification of the type of roof lights is necessary for the same reason. Two further conditions are needed to restrict alterations to the existing fabric not shown on the approved plans.

Conclusion

17. For the reasons set out above, I conclude that the appeal should be allowed, and listed building consent granted subject to conditions

Brendan Lyons

INSPECTOR

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Schedule of conditions

1. The works hereby permitted shall begin not later than three years from the date of this Decision.
 2. The works hereby permitted shall be carried out in accordance with the following approved plans: 2294.1.A4:3, 2454.1.5. Notwithstanding the West Side Elevation shown on Plan No. 2454.1.5, no part of the extension hereby permitted shall project forward of the rear wall of the existing house.
 3. No works shall take place until details of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.
 4. No works shall take place until sample panels of brickwork and mortar, demonstrating the colour, texture, face bond and pointing, have been approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.
 5. No works shall take place until details at a scale of 1:20 of
 - i. the connection between the extension hereby permitted and the existing building, and
 - ii. the proposed windows and doors (including material and finish)have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.
 6. The roof lights hereby permitted shall be of 'conservation style' with a glazing bar through the middle and shall be set flush with the roof covering.
 7. Notwithstanding the consent hereby granted, no covering, painting or plastering of ground floor brickwork currently forming the rear elevation shall take place without the written consent of the Local Planning Authority.
 8. Notwithstanding the consent hereby granted, no cutting, removal, alteration or covering of historic timbers and brickwork shall take place without the written consent of the Local Planning Authority.
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