



Appeal Decision

Site visit made on 27 November 2019

by Mr Kim Bennett BSc DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 January 2020

Appeal Ref: APP/N1920/Y/18/3214293

22 High Street, Bushey WD23 3DN

- 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 & Mrs Merritt against Hertsmere Borough Council.
 - The application Ref 18/0763/LBC, is dated 15 April 2018.
 - The works proposed are the demolition of existing single storey rear extension (not original). Construction of new single storey rear extension. Listed property restoration – structure of original house to remain unaffected.
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Decision

1. The appeal is allowed and listed building consent is granted for the demolition of existing single storey rear extension (not original). Construction of new single storey rear extension. Listed property restoration – structure of original house to remain unaffected at 22 High Street Bushey WD23 3DN in accordance with the terms of the application, Ref 18/0763/LBC dated 15 April 2018, subject to the following conditions:
 - 1) The works hereby authorised shall begin not later than 3 years from the date of this decision.
 - 2) The works hereby authorised shall be carried out in accordance with the following approved plans and documents: 286:01; 286:02; 286:03; 286:05; 286:11; 286:12; 286:13; 286:15; Heritage Statement dated 3 July 2018; Historic OS maps 1898, 1914 and 1934; Bushey Tithe Map 1840 and details of finishes in letter from agent dated 28 June 2018.

Application for costs

2. An application for costs was made by Mr & Mrs Merritt against Hertsmere Borough Council. This application is the subject of a separate decision.

Preliminary Matters

3. The appellant submitted an application for planning permission for the development described above in January 2018 under application no 18/0148/HSE. In April of that year, the application for listed building consent which is the subject of this appeal, was also submitted. On the 3 September 2018 the appellant emailed the Council to advise that unless he heard from it within 7 days, he would be lodging appeals against non-determination in respect of both applications. The Council subsequently issued decision notices for both applications on 30 October 2018. However, by that time, the appeal in

relation to the listed building consent application had already been validated and therefore the Council no longer had jurisdiction to determine it. The appeal in relation to the planning application was not valid however and therefore the planning permission is extant. Accordingly, the current appeal relates to the application for listed building consent only.

4. No 22 High Street is a Grade II listed building and is in Bushey High Street Conservation Area. As such I have had special regard to sections 16(2) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) and have determined the appeal in accordance with those provisions.

Main Issue

5. The main issue is the effect of the proposal on the special architectural and historic interest of the Grade II listed building.

Reasons

6. No 22 High Street comprises a small two storey terraced cottage located on the northern side of High Street. Nos 22 and 24 were historically one dwelling that was subsequently converted to two dwellings. Both properties date from the C17, being timber framed cased in brick and rendered with a combined tile roof. At the rear No 22 has a two storey flat roofed extension spanning its full width, and beyond that a single storey flat roofed extension in poor state of repair. At the time of my site visit, this had mostly been demolished and building works have commenced on a new structure. Regression maps indicate that both extensions date from the mid 20th Century.
7. The proposal involves the removal of the single storey flat roofed extension and its replacement with a flat roofed extension of similar size but with more limited fenestration. Internally, the works involve the provision of a new staircase in the rear half of the building together with re arrangement of internal space. Repairs would also be carried out to the roof area to ensure long term protection.
8. The significance of the building derives mainly from its architectural and historical interest as a C17 timber frame building together with its steeply pitched tiled roof and historic window openings. In that respect the historic fabric is largely unaltered. At the rear, the special historic interest has been diminished by the extensions, which detract from its simple form that is particularly evident on its frontage. Internally, the significance derives from evidence of the timber framing emerging from walls which have been plastered, together with the historic layout of rooms which is still apparent.
9. Paragraph 193 of the National Planning Policy Framework 2019 (the Framework) advises that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
10. Dealing first with the proposed replacement extension, it would be very similar in size and design to the existing single storey extension except that it would be of a more solid construction. It would continue to be separated from the historic structure by the two storey extension and therefore would involve no loss of historic fabric. Although proposed fenestration would not be similar in

size or design to the historic openings on the front elevation, that would be no different to fenestration on the existing rear extension, and the proposed works would have a smaller amount of glazing. The proposed materials would reflect its later addition and would be clearly apparent as such.

11. Internally, the new staircase would be in the 1950s two storey part of the building and would not impact upon the historic structure. The alterations, including the re arrangement of internal space, would involve no loss of historic fabric but would enable the building to be fit for purpose for modern day living requirements and help to ensure its continued residential use.
12. There are no proposed alterations to the more significant front elevation and I find that the proposed replacement extension would therefore have a neutral effect upon the historic interest of the building, given the modern structure which it would directly replace. As such, I conclude that the proposal would preserve the special historic interest of the Grade II building.
13. With regard to the effect upon the Conservation Area, there would be no impact from the High Street given that the front elevation would remain as existing and the proposed works at the rear are not visible from the road. At the rear, the garden is enclosed on all sides and makes little contribution to the character of the Conservation Area. Additionally, as explained above, the proposed extension would be a replacement of a relatively modern extension and would be of similar design. It would therefore preserve the character and appearance of the Conservation Area.
14. A condition for the works to be built in accordance with the approved plans and supporting documents, is necessary in the interests of certainty and to preserve the special architectural and historic interest of the building.
15. Accordingly, the appeal is allowed and listed building consent granted.

Kim Bennett

INSPECTOR