
Appeal Decision

Site visit made on 28 October 2021

by Jo Dowling BA(Hons) MPhil MRTPI

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

Decision date: 10 NOVEMBER 2021

Appeal Ref: APP/N1920/Y/20/3265547

The Hollybush, High Street, Elstree WD6 3EP

- 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 Rudra Rudrakumar against the decision of Hertsmere Borough Council.
 - The application Ref 20/1308/LBC, dated 21 August 2020, was refused by notice dated 11 November 2020.
 - The works proposed are en-suite and built-in wardrobe.
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Decision

1. This appeal is dismissed.
2. Since the application was determined the National Planning Policy Framework (the Framework) has been updated. The decision made by the Council refers to paragraphs 193 and 196 of the Framework 2019. In the 2021 version of the Framework the same wording can be found in paragraphs 199 and 202 and it is these paragraphs that I have referred to when considering this appeal.

Main Issue

3. The main issue is whether the proposal would preserve a Grade II* listed building, The Hollybush, and any features of architectural or historic interest that it possesses.

Reasons

4. The Hollybush is a Grade II* timber framed listed building which dates from the 15th Century albeit that it was altered, extended, and reworked at various points in the 17th, 18th, and 19th Century. Formerly a coaching inn and most recently a public house it has recently been subdivided. The ground floor is now occupied by a pre-school nursery and the first floor is currently in the process of being converted into a self-contained two bed flat.
5. Whilst the property is located within the Elstree Village Conservation Area as the proposed works would be internal alterations, I do not consider that they would harm the character and the appearance of the Conservation Area.
6. The proposed works would be located in the front bedroom (bedroom 1) of the first floor flat. The works would consist of partitioning off part of the bedroom with studwork walls to create an en-suite bathroom area approximately 900mm wide. The partitioning would run across the full width of the room and would

be fixed by nails and screws to the wall, ceiling, and sacrificial chipboard floor. To minimise the impact on the historic fabric of the building the Appellant has advised that toilet drainage would be surface mounted and would connect to an existing soil stack with the connection being made in-between studs to ensure that no external wall studs would need to be cut. All drainage pipework would be surface mounted with low level boxing and any fixings would be to existing laths to avoid attaching fixings to the existing structure. The built-in wardrobe would be located to the left of the proposed doorway to the en-suite. The Appellant has advised that the works are required to meet modern standards which would secure the necessary rent to cover the cost of the conversion thereby ensuring that the property is occupied and doesn't fall into disrepair.

7. Bedroom 1 is located in the cross wing of the building which is thought to date from around 1450-1550. This area has been identified by the Council as the part of the building with the highest historical significance. The cross wing would originally have been characterised by the large open spaces on each floor. Although this has been eroded by the addition of a chimney breast in the 17th Century and other recent partitions that have been constructed to enable the creation of the flat the front bedroom is a spacious room which currently retains an open character. The original beams and timber frame are clearly visible and are an important feature of the room. I consider that the subdivision of this room would reduce the remaining space which would adversely affect the understanding of the building by moving away from the original open plan form which is still evident despite the recent subdivision. Furthermore, by creating a solid partition the original beams and timber frame on that right hand side of the room would no longer be visible from within the bedroom thereby eroding the buildings historic character.
8. I note from the evidence submitted with the appeal that the appellant considers that the proposed works would be reversible and would therefore not harm the features of the listed building. I consider, given the conversion of the first floor to a flat, that whilst technically the works are reversible in reality they would be likely to remain in place for the duration of the time that the upper floor remains in residential use and are therefore likely to become a permanent feature. Furthermore, I agree with the Council that the proposed en-suite if not properly vented could introduce moisture into the room which has the potential to damage the historic timber framing, infill panels and plasterwork.
9. I therefore consider that the instillation of the en-suite bathroom and built-in wardrobe would cause harm to the special interest of the listed building, albeit I acknowledge that this harm would be less than substantial.
10. I agree with the Appellant that the provision of an en-suite and built-in storage would make the flat more attractive to future occupants and could warrant the charging of a higher rent. However, this is a small flat where there are alternative bathroom facilities in close proximity to bedroom 1 and there is space within the room to accommodate a freestanding wardrobe. I therefore consider that the provision of an en-suite bathroom and built-in wardrobe would not provide sufficient public benefits to outweigh the harm to the special interest (or significance) of the listed building. Furthermore, I observed that the flat is in the process of being finished to a high level and is located in a desirable area. As a consequence, I do not consider that the lack of an en-suite bathroom and built-in wardrobe would render the property unlettable.

Therefore, in my opinion, it would be unlikely that the flat would remain vacant, would not be maintained and so therefore the rent generated would be available to support the children's nursery.

11. As a result, I consider that the works would fail to preserve the special architectural and historic interest of the building for which a clear and convincing justification has not been provided. The works would therefore not comply with the requirements of Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) and paragraph 202 of the Framework.

Other matters

12. I note that the appellant considers that the Council did not positively engage with them when considering the application. However, I have limited information about the handling of the application by the Council and consequently I have determined the appeal on its merits and in the light of the relevant national planning policy.

Conclusion

13. Accordingly, for the reasons set out I conclude that the construction of the en-suite bathroom and built-in wardrobe would fail to preserve the special architectural and historic interest of the Hollybush and as such the appeal should be dismissed.

Jo Dowling

INSPECTOR