
Appeal Decision

Site visit made on 28 February 2022

by J Ayres BA Hons, Solicitor

an Inspector appointed by the Secretary of State

Decision date: 18 MARCH 2022

Appeal Ref: APP/C1950/Y/21/3279240

Dimsdale House, Essendon Place, High Road, Essendon, Hatfield AL9 6GZ

- 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 Ms Cherie Lee against the decision of Welwyn Hatfield Borough Council.
 - The application Ref 6/2020/3354/LB, dated 14 December 2020, was refused by notice dated 26 February 2021.
 - The works proposed are described in the application form as "The proposal is for the erection of a new porch / boot room situated in the North East end elevation of Dimsdale House. The design plan form has been carefully considered in order to fit into the existing site configuration. The volume of the porch / boot room has been kept to a minimum with a flat lead dressed roof abutting the existing masonry rendered wall and structural glass sides providing transparency to the side elevations. The materials and form have been selected to be sympathetic with the existing built form of Dimsdale House".
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Decision

1. The appeal is dismissed.

Main Issue

2. Dimsdale House forms part of Essendon Place, a Grade II listed building dating from the 1830, and the main issue is the effect of the proposal on the special architectural and historic interest of the listed building.

Reasons

3. In considering whether to grant listed building consent for works, Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) prescribes a duty upon a decision maker to give special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.
4. Essendon Place was built as a grand country house, following the remodelling of a late 18th century house. This splendour remains in the painted stucco, expanse of sash windows and projections. Following its use as a training college for Eastern Electricity, during which time a number of alterations were made to the building, Essendon Place was converted to four separate dwellings in the early 2000s. The south elevation formed the principal elevation of Essendon Place, however the main entrance into Dimsdale House (located to the easternmost end of the original house) is now on the east elevation.

5. Whilst the single storey boot room would be of a size and scale that it would appear subservient to Essendon Place, it would introduce a second porch and entrance on what is the main elevation to Dimsdale House. The porch would project out further from the host building than the existing portico style porch, and I find that the scale of the boot room and porch would compete with the existing porch and create a cluttered elevation.
6. I note that there was previously a door at the location of the proposed development which had been inserted when the building was used as a training college, and that this has subsequently been closed off. A single door may have a different effect on the listed building; however, my decision relates to the proposal before me. Having regard to the elevation as it now stands, I find that the proposal would complicate the elevation and detract from the simplicity of the façade.
7. Accordingly, I find that the proposal would harm the special architectural and historic interest of the listed building contrary to the approach set out in the Act. Paragraph 199 of the National Planning Policy Framework (the Framework) also requires that great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to their significance.
8. Given that the entry point from the listed building to the porch would be through the previous doorway I consider that the historic fabric of the listed building would be unaffected. Accordingly, the harm that would be caused to the significance of the designated heritage asset would be, in the language of paragraph 202 of the Framework, less than substantial. However, the workings of Section 16(2) means that any harm to a listed building is a weighty matter. This is confirmed in paragraph 199 of the Framework which says that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
9. Paragraph 202 requires that, where a proposal would lead to less than substantial harm, the harm should be weighed against the public benefits of the proposal. The proposed development would provide an additional access to the house into the kitchen. Whilst this would be convenient it cannot reasonably be argued, in my view, that the dwelling cannot properly or viably function without the addition of a boot room. Therefore, any public benefits of the proposals are not sufficient to outweigh the harm that would be caused to the significance of the designated heritage asset.

Conclusion

10. The public benefits of the proposal would not outweigh the less than substantial harm that would be caused to the significance of the designated heritage assets; harm that must attract considerable importance and weight. Accordingly, for the reasons given above I conclude that the appeal is dismissed.

J Ayres

INSPECTOR