



Appeal Decisions

Site visit made on 1 May 2024

by Rachel Hall BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 June 2024

Appeal A: APP/A1910/W/23/3327777

54 Nettleden Road, Little Gaddesden, Hertfordshire HP4 1PL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Dunwoodie against the decision of Dacorum Borough Council.
 - The application reference is 23/00307/FHA.
 - The development proposed is described as a single storey extension including works in curtilage of listed building; new windows, pantry, wine cellar and potting shed.
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Appeal B: APP/A1910/Y/23/3327780

54 Nettleden Road, Little Gaddesden, Hertfordshire HP4 1PL

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mr and Mrs Dunwoodie against the decision of Dacorum Borough Council.
 - The application reference is 23/00308/LBC.
 - The works proposed are described as a single storey extension including works in curtilage of listed building; new windows, pantry, wine cellar and potting shed.
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Decisions

Appeal A

1. The appeal is dismissed.

Appeal B

2. The appeal is dismissed.

Preliminary Matters

3. As the proposal is in a conservation area and relates to a listed building I have had special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
4. An amended front elevation plan was submitted with the appeal showing the proposed extension with a slimmer roof structure. The appellant submits that this revision should be taken into account, having regard to the Wheatcroft principles. However, no rear or side elevations of that amended scheme were submitted. Accordingly, whilst it does not appear to amount to a fundamental change to the proposal, insufficient evidence is before me to reach a definitive conclusion on that matter. Moreover, I am unable to conclude with sufficient certainty on the effects of that revised scheme. Therefore, the appeal is determined on the basis of the plans that were the subject of the Council's decision.

5. A revised National Planning Policy Framework (Framework) was published on 19 December 2023. Insofar as it is relevant to the matters at hand in determining this appeal, the Framework is consistent with the previous iteration.

Main Issues

6. The main issues are whether the proposal would preserve the Grade II listed building known as "54" (Ref: 1100429) (No 54), and any features of special architectural or historic interest that it possesses; and the extent to which it would preserve or enhance the character or appearance of the Little Gaddesden Conservation Area (CA).

Reasons

Special Interest and Significance of the Listed Building

7. No 54 is a detached house, the central part of which dates from the 18th century. That part of the building is orientated such that it fronts on to the garden of No 54 and is side on to the Green. It is timber framed with brick infill. It has a pitched tiled roof with a tall brick chimney, and two dormer windows within the roof slope facing the garden. Windows have small panes and are modest in size which creates a high solid to void ratio within the brick façade. A rear wing extension fronts on to the Green. This has a brick-faced exterior and a tiled roof with two dormer windows in the roof slope facing on to the Green, of similar proportions to the 18th century part of the building. This extension is likely the 1912 extension for Lord Brownlow, as referenced in the listing description.
8. A 1990's two storey, cross-wing extension adjoins the opposite end of the building. It has similar window proportions to the historic parts of the building, arranged symmetrically on the gable end facing the garden. Consequently, its fenestration does not visually compete with those on the timber framed elevation. It has a chimney that sits lower than that of the 18th century part of the building, but of similar proportions and of a similar brick colour. A more recent conservatory adjoins the cross-wing extension with a raked back, pitched, glazed roof. Its building line onto the garden is set very slightly back from that of the cross-wing extension. Also, it has a lower ridge and eaves height relative to other elements of the building. As such, from the garden it appears subservient to the rest of No 54.
9. A detached annex is adjacent to the main house and within its garden boundary. It has been converted to provide living accommodation, a home office and garage. It is not included on the listing description and appears considerably more modern than the main house. As such, to the extent that it is relevant to this appeal, the annex does not add to the heritage significance of No 54.
10. For the purposes of this appeal, the significance of No 54 primarily derives from its historic and architectural interest. The building's age, surviving historic fabric, vernacular form and design utilising traditional construction techniques and materials, all make important contributions in these regards.

Appeal proposal and effects on the Listed Building

11. I am satisfied that the proposed installation of a lightweight glazed Crittal screen in the existing hall could be achieved without harm to the historic fabric of the building. Therefore, this would have a neutral effect on the significance of the listed building.
12. I observed that a potting shed was in place during my site visit. As a discreet entity, of a modest scale and separate from the listed building, it does not harm the significance of No 54. Aside from the proposed footprint of a shed being indicated on the proposed layout plan, details of its design and scale do not form part of the appeal submission. However, in the event of the appeals being allowed such details could reasonably be secured via a condition.
13. The proposed replacement windows on the main house are said to relate to those on the elevation facing the Green, the dormers on the elevation facing the garden, the kitchen windows and the single glazed lounge window which looks out onto the patio. The replacement windows are described as like for like with the spacer detail to match the window frame, although slimline double glazing is proposed in place of single glazed units. In any event, very limited information is before me to enable a sufficiently detailed assessment of their impact on the building's heritage significance.
14. I note that the existing windows are not historic, having been previously replaced. Also, that similar slimline glazing has been approved in the locality (Ref: 20/00997/LBC). Moreover, the Council is said to have provided positive feedback on a separate application for the replacement windows, internal glazed screen and potting shed (Refs: 23/01555/FHA and 23/01556/LBC). Nevertheless, even in the event of those applications being approved by the Council, on the evidence before me, the proposed replacement windows have the potential to diminish the building's architectural value, resulting in harm to the significance of the listed building. Furthermore, each case must be determined on its individual merits.
15. The proposed extension incorporating the wine cellar would not affect the historic fabric of the listed building, being attached to the 1990's cross-wing extension. Moreover, the proposed use of extensive glazing for its walls would enable the fabric of the cross-wing extension to remain visible. Contemporary design and building forms can work well juxtaposed with historic buildings. However, the proposed flat roof line would sit uncomfortably with the pitched roofs of No 54, cutting across the gable end and obscuring visibility of its eaves on one side.
16. Furthermore, in wrapping around the cross-wing extension, the proposed building line would project much further into the garden than the cross-wing extension. As such, although set back from the building line of the annex and garage, and even with fully glazed elevations, the proposal would dominate in views from its garden, relative to the historic timber framed element of the building.
17. In addition, the dimensions of the proposed chimney on the single storey extension would be comparatively wide and squat relative to the taller, slimmer chimneys on the existing building. Also, the proposed grey brick colour of this chimney would appear stark, being a colour not notable elsewhere on the appeal building, further drawing the eye as an incongruous modern feature.

Moreover, the groundfloor windows and door on the cross-wing gable elevation would be replaced with patio doors, positioned off-centre. This would further emphasise this as a discordant feature and would disrupt the simplicity of the existing, symmetrical gable.

18. As such, the proposed extension would hinder the ability to appreciate the historic and architectural features of the existing building. Furthermore, it would appear more intrusive than the existing conservatory which has a discreet footprint and profile when viewed from the garden of No 54. Therefore, I conclude that the proposed extension would not preserve this asset in a manner appropriate to its significance. Also, that the proposed replacement windows have the potential to add to this harm.

Public benefits and balance with respect to the Listed Building

19. Given the extent and nature of the works proposed, the degree of harm would be less than substantial. In these circumstances, paragraph 208 of the Framework requires the harm to be weighed against the public benefits of the proposal, including securing the optimum viable use of the building.
20. Economic benefits would be brought about through the construction phase and the general investment into the property. The proposal could lead to improved thermal and energy efficiency of the building, however, it has not been convincingly demonstrated that the proposal would be the least harmful way of achieving this benefit. The modification of the building to increase living space for its occupants and any improvements to standards of living would be solely of private benefit to the appellant.
21. For the reasons given, the design of the proposal would be more intrusive than that of the existing conservatory. Moreover, the design of the existing conservatory is relatively discreet. Therefore, in the circumstances of this appeal, removal of the conservatory does not amount to a public benefit. Also, no compelling evidence is before me which confirms that the property would not be useable or viable as a dwelling or that its future would be at risk if the appeals were to fail and the proposal, as submitted, was not implemented. In these respects, the identified harm to the significance of the listed building has not been clearly and convincingly justified.
22. Change to a heritage asset does not automatically result in harm to its significance. Also, conservation is an active process of managing change to heritage assets in ways that sustain, reveal, or reinforce their heritage interests. Nonetheless, the weight that I ascribe to the public benefits that would accrue from the proposal, is not sufficient to outweigh the considerable importance and weight that even the less than substantial harm to a designated heritage asset carries.
23. In light of the foregoing, the proposed works would fail to preserve the special architectural and historic interest of the Grade II listed building (No 54). As such, it would fail to satisfy the requirements of the Act. Conflict therefore arises with Policy CS27 of the Dacorum Core Strategy 2006 – 2031 (September 2013) (Core Strategy), which generally seeks to protect heritage assets. Policies CS11 and CS12 are not relevant to this main issue, dealing with the impacts of proposals on the surrounding neighbourhood and neighbouring properties, respectively. The proposal would also conflict with the historic environment sections within the Framework and Planning Practice Guidance.

Special Interest and Significance of the Conservation Area

24. The CA is predominantly linear in form, incorporating the Green and buildings along the length of Nettleden Road through Little Gaddesden village. It also includes Church Road that is approximately perpendicular to Nettleden Road and leads to Grade I listed St Peter and St Pauls Church. The CA includes a wide variety of housing styles, sizes and ages, many of which are listed. Ashridge House, within the Ashridge Estate, is Grade I listed and is outside of the CA but visible from part of Nettleden Road. Many of the houses in the CA show signs of having been influenced by the Ashridge Estate, through the use of Brownlow date shields. Insofar as it is relevant to this appeal, the significance of the CA primarily derives from its historic village character and the range of notable buildings of a variety of architectural styles.

Appeal proposal and effects on the Conservation Area

25. As described above, the proposed single storey extension would extend the building line of No 54 further into its garden. However, the garden is currently well screened from the Green and Nettleden Road by the existing boundary hedge and some garden trees. Furthermore, the footprint of the proposed extension is well set back from the garden boundary with the Green. As such, whilst it may be possible to obtain glimpsed views of the proposal through gaps in boundary vegetation, the extent to which the single storey flat roof proposal would be visible from the public realm would be highly limited. Due to the location of the appeal site adjacent to the footpath running alongside the Green, occupants of No 54 are likely to seek to retain the boundary hedge and trees for reasons of privacy and security. As such, it is highly likely that screening of the appeal garden from the Green will remain in place indefinitely.
26. Despite the harm that would be caused to the listed building I do not find that the proposal would be detrimental to the character or appearance of the CA. This is because the proposed changes would not be readily visible from public or private domains. Under such circumstances case law¹ has established that proposals must be judged according to their effect on the CA as a whole and therefore must have a moderate degree of prominence. Given the above, I find that the proposal would not be detrimental to the CA and would thus preserve its significance.
27. Consequently, the proposal would not conflict with Policy CS11 of the Core Strategy, which seeks to retain attractive streetscapes. It would also accord with Policy CS12 of the Core Strategy, by integrating with the streetscape. It would also be consistent with the requirements of the Act.

Conclusion

28. Given the above and considering all matters raised, I conclude that the appeals should be dismissed.

Rachel Hall

INSPECTOR

¹ South Oxfordshire DC v SSE & J Donaldson [1991] CO/1440/89