



Appeal Decision

Site visit made on 28 November 2024

by O S Woodward MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 December 2024

Appeal Ref: APP/A1910/Y/24/3349178

69A Langley Hill, Kings Langley, WD4 9HQ

- 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 Benjamin Sterling against the decision of Dacorum Borough Council.
 - The application Ref is 22/02688/LBC.
 - The works proposed are a second storey rear extension.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The works would require planning permission as well as listed building consent. However, no such appeal against a refusal to grant planning permission is before me. I have therefore determined the appeal as submitted, solely with regard to the effect of the works on the special architectural and historic interest of the listed building, as required by Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act). The appeal site also lies within the Kings Langley Conservation Area (the CA). I have also, therefore, had regard to Section 72(1) of the Act.
3. The Historic Building Appraisal and Impact Assessment (the HBA) submitted with the appeal dates from 2016 and relates to a previous application for a two-storey rear extension and further internal works. Since that document was written, listed building consents have been granted for various internal alterations and a further listed building consent and related planning permission¹ have been granted for a ground floor rear extension. This has since been implemented and forms the baseline for the current proposal. For the avoidance of doubt, the appeal proposal is solely for the second storey rear extension.
4. In addition, the submitted drawings are unclear regarding the precise extent and nature of some of the proposed works. However, sufficient information is provided, when cross-referenced with the Appeal Statement and the HBA, to allow for me to make a robust assessment of the proposed works. I reflect this, and the above, throughout my Decision.

¹ Refs 4/01633/16/LBC and 4/01632/16/FHA

Main Issue

5. The main issue is the effect of the proposed works on the special architectural or historic interest of the Grade II listed building, 'Nos. 69(a) (Old Palace Lodge) and 69(b) (Langley Hill House)², and whether or not they preserve or enhance the character and appearance of the Kings Langley Conservation Area.

Reasons

Significance

Listed building

6. The listed building has a historic core from the early-19th Century. It was built as one house. A two-storey extension was built on the east side of the house (the east wing) in either the late-19th Century or early-20th Century, in a partial Arts and Crafts style. In the 1950's, the house was split into two semi-detached dwellings, as it now remains. The appeal property is the east dwelling, including the east wing. There is a further single-storey ground floor extension to the appeal property, which has a relatively large footprint in proportion to the host building and was built within the last 10 years.
7. The roofs to all the elements of the property contain sloped elements, reducing their bulk and also helping to visually unify the different elements of the property. The eaves to the east wing are set clearly below the eaves to the historic core, therefore retaining subservience. There is a large brick chimney to the roof of the east wing, which likely dates from the 1950s when the property was split into two. Although of limited historic value, it adds further visual interest and articulation.
8. The fenestration to the historic core and east wing varies, with casement, sash, bay and Oriel windows. Some are original and some are replacements. The unifying feature is that they are all relatively small, timber framed and single glazed. Particularly relevant to the proposal is the Oriel window, which is actually two windows to two different rooms but within one timber bracket. It is still clearly visible in its elevated position on the rear elevation and it positively contributes to the historic and architectural interest of the building because of its historically appropriate architectural style and the visual interest it provides.
9. The ground floor extension is a modern addition that provides very limited architectural and no historic value. It has modern, large windows and doors, which are nonetheless appropriate in the context of being within a new extension and at ground floor level. Both it and the east wing are clearly legible architectural expressions of their own time. They do not unnecessarily obscure earlier elements of the building, thereby retaining the ability to discern the development of the property over time. Although it is relatively large, because it is all at ground floor level, the modern extension does not overwhelm the historic core or the east wing.
10. The internal historic fabric of relevance to the appeal proposal is the timber rafters to the rear of the east wing roof. These are potentially original.

² List entry number 1100414

However, they are not from the historic core of the building and are therefore of some, but relatively limited, significance.

11. The other half of the listed building, ie the other semi-detached property, contains a similar part of the historic core. It has a large west wing extension which is two storeys. However, it has a hipped roof and timber framed, relatively small historically appropriate fenestration. It reads as a cohesive and now well-established addition to the other half of the building. As a whole, the other half is a key contributor to the historic and architectural significance of the listed building. However, it has become divorced from the appeal property by the split into two dwellings and the associated changes to internal layout, and the partitioning of the front and rear garden areas. It no longer reads entirely as one dwelling.
12. Overall, as far as is relevant to the appeal proposal, the significance of the listed building lies in its historic and architectural interests. Both are drawn partly in its surviving historic core but also from the east wing, the original Oriel window, and albeit to a lesser extent, the rafters to the east wing roof which provide good evidence of domestic architecture at the time. The legibility of the development of the property over time, and the appropriately subservient nature of the extensions to the historic core, reinforce that significance.

The CA

13. Insofar as it relates to the proposed works, the character, appearance and significance of the part of the CA that the appeal site is in is largely derived from the high quality of the historic buildings that it contains, including, of course, the listed appeal property.

The proposal

14. A rear extension is proposed at first floor level which would protrude from the existing east wing rear wall on top of the existing ground floor extension. I believe its footprint would stop at the end of the flat part of the ground floor roof. The extension would have a flat roof, which would be below the level of the existing eaves to the historic core, but to a lesser extent than the existing situation. Full details of the fenestration have not been provided but it would include at least three large windows to the proposed rear elevation, likely in a similar style to those within the modern ground floor extension.
15. The extension would involve cutting into, and therefore losing, the historic fabric at the bottom of the rear roof slope to the east wing and the internal rafters within this part of the roof, and the bottom of the brick chimney. It would also involve the loss of the existing Oriel window to facilitate access to the proposed extension, which would provide a bedroom, with an en-suite. The appellant has offered, in writing but not on drawings, to retain and relocate the Oriel window. However, the proposed location is not provided.

Assessment

Historic fabric

16. The Oriel window would be lost. There are no confirmed details of where it might be replaced. In the absence of such confirmation, I treat this as the loss of important historic fabric which would erode the significance of the building.

In addition, the only plausible locations are on the side elevations of the proposed extension, either of which would be less visible, particularly the east side where it would likely have most utility by providing light and ventilation to the proposed en-suite. Therefore, it would have reduced value, even if retained.

17. The tiles to the bottom part of the east wing rear roof and the bottom parts of the internal rafters would be lost. Although likely original, this is to the late-19th/early-20th Century element of the building and the fabric is therefore of lesser value. This would, nevertheless, result in harm from loss of historic fabric, albeit limited.
18. The appellant has offered to record the fabric of the building prior to its removal. This would be welcomed but would not overcome the harm caused by the loss of the fabric in the first place.

Design

19. The existing extension to the other half of the building includes a significant two-storey projection to the rear. However, the building as a single home has long been lost and, particularly from the rear, is now read as two separate dwellings. The existing extension therefore provides limited justification for a first floor extension on the appeal property. The extension as proposed would have a flat roof and a combination of this, its height much closer to the historic eaves, and its footprint would make it unsympathetic and insufficiently subservient to the host building.
20. The fenestration would include large windows to the rear elevation as well as the flat roof. It would therefore be clearly of modern appearance and style. This is not harmful in principle on a building where the legibility of extensions contributes positively to its significance. However, the use of a flat roof would be out of keeping with the sloped roofs to all other parts and ages of the building including to the other dwelling, removing this uniformity and would be an incongruous feature. The large windows would be an alien feature at first floor level, highly prominent and competing with and jarring against the relatively small, timber framed, historic windows to the remainder of the property, including the other dwelling, above ground floor level.
21. Some views of the different elements of the building, and therefore the legibility of its development over time, would remain but this does not overcome the harm that I have identified above.

Overall

22. As set out above, the proposed works would harm the special architectural and historic interest of the Grade II listed building through the loss of the Oriel window and inadequate options for replacement, loss of roof tiles and rafters, unsympathetic scale and design, and incongruous flat roof and inappropriately large glazing. I assess the level of harm to be less than substantial. Because the building positively contributes to the character and appearance of the CA, the works would also fail to preserve or enhance the character or appearance of the CA. The level of harm is also less than substantial.
23. It therefore fails to comply with Paragraph 203 of the National Planning Policy Framework (the Framework) which sets out the desirability of sustaining and enhancing the significance of heritage assets, and Policies 119 and 120 of the

Dacorum Local Plan 2004 (the LP) and Policy CS27 of the Core Strategy 2013 which broadly reflect the Framework. It would also fail to satisfy the requirements of the Act.

Heritage Balance

24. Paragraph 208 of the Framework states that where a proposal would lead to less than substantial harm to the significance of a heritage asset(s), this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
25. In this instance, the property is a relatively substantial house which does not require the proposed additional space for it to be viable in this use. The public benefit of the proposal is in providing a slightly larger home but this is very limited, if a benefit at all, because the existing home is already relatively large. In addition, there would be economic benefits from the purchase and use of construction materials, albeit on a limited scale. I place great weight on the harms to the significance of the listed building and the CA that I have identified, in accordance with Paragraph 205 of the Framework. The harms clearly outweigh the limited public benefits.

Conclusion

26. For the reasons above, the appeal is dismissed.

O S Woodward
INSPECTOR