



Appeal Decision

Site visit made on 2 December 2025

by N Bowden BA(Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 December 2025

Appeal Ref: APP/A1910/D/25/3369299

**Tudor Lodge, Ringshall Drive, Little Gaddesden, Berkhamsted, Hertfordshire
HP4 1NU**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Phil Heaphy against the decision of Dacorum Borough Council.
 - The application Ref is 25/00412/FHA.
 - The development proposed is the erection of a single storey garden room and a two bay car port with side store in the curtilage of a listed building.
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Decision

1. The appeal is dismissed insofar as it relates to the two bay car port with side store.
2. The appeal is allowed insofar as it relates to the single storey garden room and planning permission is granted at Tudor Lodge, Ringshall Drive, Little Gaddesden, Berkhamsted, Hertfordshire HP4 1NU in accordance with the terms of the application, Ref 25/00412/FHA, and the plans submitted with it insofar as relevant to that part of the development hereby permitted and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted, insofar as it relates to the single storey garden room only, shall be carried out in accordance with plan nos. TLK/SK/01C and TLK/SK/03.
 - 3) No development above ground level shall take place until details / samples of the materials to be used in the construction of the external surfaces of the garden room hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details / samples.

Procedural Matters

3. For the reasons given below, the proposed single storey garden room would be acceptable. This element of the proposal is clearly severable both physically and functionally from the proposed two bay car port with side store. A split decision is therefore possible and appropriate.

Main Issues

4. The main issues are the effect of the proposed development on the character and appearance of the locality having particular regard to the site's location in the Rural Area, within the Chilterns National Landscape (CNL) and within the setting of heritage assets.

Reasons

Rural area

5. Policy CS7 of the Dacorum Core Strategy 2013 (DCS) sets out that small-scale development will be permitted, including limited extensions to existing buildings, provided that it has no significant impact on the character and appearance of the countryside; and it supports the rural economy and maintenance of the wider countryside. Outbuildings to domestic properties are not specifically referenced in the policy and what amounts to small scale development is not defined.
6. The Council's approach to such proposals is not divergent to the judgement of *Warwick DC v Secretary of State for Levelling Up, Housing And Communities, Mr J Storer & Mrs A Lowe [2022] EWHC 2145 (Admin)* insofar as outbuildings and extensions should not be interpreted as being confined to physically attached structures but that an extension for the purposes of that provision can include structures which are physically detached from the building of which they are an extension. Whilst this judgement does relate to development in the Green Belt, which the site is not set within and therefore only has passing relevance here, it is a reasonable starting point and I have no reason to disagree with this approach. Both the car port and garden room are ancillary residential buildings and, despite the size of the former, are clearly of a domestic scale.
7. However, criterion (iii) i. of policy CS7 sets out that such small scale development is only acceptable where there is no significant impact on the character and appearance of the countryside, which includes the CNL.

Effect on CNL

8. The appeal site is associated with the village of Little Gaddesden and gives way to more open and rural areas immediately to the west and south. Impressions of the site to the north and east are largely curtailed by existing buildings immediately adjacent to the site and on the opposing side of the main road.
9. The area is given over to woodland which is not an uncommon feature of the CNL. The proposed car port and side store is a fairly sizeable domestic structure and it would be located in a prominent position to the front of the property. It would be visible in the public realm and whilst the boundary treatment in the form of hedges and trees would ameliorate its effects – no doubt to a greater degree in summer, than when I observed it in winter – it would still be visible and noticeable. It would occupy a sensitive fringe location where there is a clear distinction from moving from the characterful village to the undeveloped wooded areas beyond. I find its size and position would render it as a prominent addition to the area. Its sensitive location means it would be harmful to the character and appearance of the CNL. This is despite the design of the building being of a similar design to that suggested in the Chilterns Design Guide 2010 (CDG) as it is the siting of the building which is the cause for objection here.

10. As stated in paragraph 189 of the National Planning Policy Framework (the Framework), great weight should be given to conserving the landscape and scenic beauty in National Landscapes. I therefore find that the proposed car port and side store would be detrimental to the CNL contrary to policies CS7 and CS24 of the DCS and provisions of the CDG.
11. However, the proposed garden room is a distinctly different proposition. It is a small and discreetly sited structure. Its position within the site allows for a greater degree of landscaping around it to screen it from view. Accordingly, with a condition to control the use of materials, I do not find that it would be harmful to, or adversely affect, the special qualities of the CNL.

Effect on heritage assets

12. There are numerous designated heritage assets near the appeal site. The closest of these comprises the host dwelling, Tudor Lodge which is Grade II listed. This is a former gate house with red, rat-trap brickwork under a tiled roof with dormers. Its significance derives from its traditional connections with Ashridge House and the surrounding village and this functional, traditional relationship. The Alford Memorial, also Grade II listed, comprises a limestone cross with drinking fountain and trough. Its significance is as a memorial within the village.
13. The site is also set adjacent to the Little Gaddesden Conservation Area (LGCA) and this derives its significance from the multitude of historic buildings and the association with the Ashridge Estate with Ashridge House being set to the south west. Whilst the appeal site itself is not within the LGCA it is adjacent to it and remains important in views into and out of the LGCA.
14. The proposed car port would be set to the front of the house. Whilst it benefits from a reasonable separation distance from it, the car port would still be visible in the same context. I accept that landscaping would minimise the structures being viewed together but even so, this would still be apparent in some views along the driveway. It would be positioned almost directly to the front of the house and along the driveway to Ashridge House. This would disrupt important views to the front of the house and would be detrimental to the setting of this building. It would be a prominent domestic feature in this historic context where, traditionally, no such building should exist. This is particularly true here as Tudor Lodge was originally the gatehouse to Ashridge House.
15. The position of the car port in close proximity to the road would also be harmful to views into and out of the LGCA and in the context of the Alford Memorial. The car port would not sit comfortably with the open aspect into the LGCA and undermine the significance of this important route that connects Ashridge House to the village and this is an important element in the designation of the LGCA.
16. I conclude that the proposed car port and side store would fail to preserve the setting of the Grade II listed buildings at Tudor Lodge and Alford Memorial and the setting of the LGCA contrary to the Planning (Listed Buildings and Conservation Areas) Act 1990. I further conclude that it would be detrimental to views into and out of the LGCA. The harm is at a lower level of less than substantial harm but even so, the Framework is clear that this remains a cause for concern. Therefore, conflict would arise with policies CS11, CS12 and CS27 of the DCS and policies 119 and 120 of the Dacorum Local Plan 2004 (DLP).

17. Paragraph 212 of the Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset (or assets), 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.
18. Under paragraph 215, the Framework explains that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, as is the case here, this harm should be weighed against the public benefits of the proposal. The appellant has identified that the car port and store would be used for the storage of equipment for the Gaddesden Society and include marquee, a gazebo, PA systems and that this would amount to a public benefit. However, this limited benefit could be delivered elsewhere and any public benefit would not outweigh the clear harm to the heritage assets.
19. However, having regard to the garden room, this element of the proposal is far more discrete. It is not set to the front of Tudor Lodge and is neatly secreted to the side. It is away from direct views of the main frontage of the house and even when observed from the small lane or track along Ringshall Drive to the west, would still be unlikely to obscure views or an appreciation of Tudor Lodge or its setting. The same applies to the effect on the Alford Memorial and the LGCA. Its siting and size means that it would comply with policies CS11, CS12 and CS27 of the DCS, policies 119 and 120 of the DLP and the Framework.

Conditions

20. For the element of the proposal that is allowed, the single storey garden room; a standard condition is necessary requiring that the development is commenced within three years. Conditions are also necessary to ensure that the proposal is undertaken in accordance with the approved drawings (ringfenced to those elements that pertain to the garden room only) and that details of the materials are agreed by the Council in order to protect the character and appearance of the area being particularly mindful of its historic context and location within the CNL.
21. Although condition 3 does require the submission of further detail to the Council, this is not a pre-commencement condition (having regard to s100ZA of the Town and Country Planning Act 1990 (as amended) and the Town and Country Planning (Pre-commencement Conditions) Regulations 2018). This is because some works may be commenced before those details have been agreed.

Conclusion

22. The proposed two bay car port with side store would be harmful to the character of the rural area, detrimental to the historic setting and would have an adverse effect on the CNL. The material considerations, including the suggested public benefits, do not indicate a decision should be made other than in accordance with the development plan. This element of the proposal should therefore not proceed and permission is refused.
23. However, I conclude that the appeal should succeed in relation to the single storey garden room. This is a small and innocuous structure and a distinct and separate operation to the proposed car port with side store. As there are no objections to this element of the proposal, it should be granted permission.

24. Therefore, for the reasons given above and as described, the appeal should be allowed in part and dismissed in part.

N Bowden

INSPECTOR