

DC.12

**TOWN AND COUNTRY PLANNING ACT 1971  
BUILDINGS OF SPECIAL ARCHITECTURAL  
OR HISTORIC INTEREST**

Town Planning  
Ref No .....4/1612/88LB.....  
Other Ref No .....

THE BOROUGH COUNCIL OF DACORUM IN THE COUNTY OF HERTFORD

To:                      Mr & Mrs Patterson                      Mr A Wheeler  
                              Hudnall Common Farm                      Surveyor - Fergina Finesse  
                              Hudnall Lane                                      4C Deacon Trading Estate  
                              Little Gaddesden                                  Chickenhall Lane  
                              Herts    Eastleigh, Hants

.....Conservatory Extension.....  
.....  
at Hudnall Common Farm, Hudnall Lane,  
.....Little Gaddesden, Herts.....

Description and  
location of  
proposed works

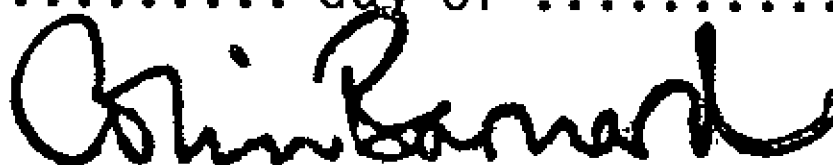
In pursuance of their powers under the above-mentioned Act and the Orders and Regulations for the time being in force thereunder the Council hereby refuse the grant of Listed Building Consent to the works described above and proposed by you in your application dated 27 June 1988..... and received with sufficient particulars on 23 August 1988..... and shown on the plan(s) accompanying such application.

The reasons for the Council's decision to refuse Listed Building Consent for the works proposed are:

The materials to be used for the proposed conservatory would be seriously harmful to the historic and architectural character of this Listed Building.

Dated Nineteenth..... day of October.....19.88

Signed



CHIEF PLANNING OFFICER

### NOTES

1. If the applicant is aggrieved by the decision of the local planning authority to refuse Listed Building Consent for the proposed works, or to grant consent subject to conditions, he may, by notice served within six months of receipt of this Notice, appeal to the Secretary of State for the Environment in accordance with paragraph eight of Schedule 11 to the Town and Country Planning Act 1971. Appeals must be made on a form which is obtainable from the Department of the Environment, Tollgate House, Houlton Street, Bristol, BS2 9DJ). The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.
2. If Listed Building Consent is refused, or granted subject to conditions, whether by the local planning authority or by the Secretary of State and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any works which have been or would be permitted, he may serve on the Council of the district in which the land is situated, a Listed Building Purchase Notice requiring that Council to purchase his interest in the land in accordance with the provisions of s.190 of the Town and Country Planning Act 1971.
3. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in s.171 of the Town and Country Planning Act 1971.



# Planning Inspectorate

Department of the Environment

Room 1404 Tollgate House Houlton Street Bristol BS2 9DJ

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D/106/KJE/P

PLANNING INSPECTORATE DACORUM DISTRICT COUNCIL		Your reference																					
Messrs Fersina Finesse 4C Deacon Trading Estate Chickenhall Lane EASTLEIGH SO5 5YU	<table border="1"><tr><td>ORG</td><td>REP</td><td>12</td><td>22</td><td>80</td></tr><tr><td></td><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td><td></td></tr></table>	ORG	REP	12	22	80											<table border="1"><tr><td>Ack.</td><td>Our reference</td></tr><tr><td>Admin.</td><td>T/APP/A1910/A/88/110266/P8</td></tr><tr><td>Date</td><td>E/88/803956/P8</td></tr></table>	Ack.	Our reference	Admin.	T/APP/A1910/A/88/110266/P8	Date	E/88/803956/P8
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5 OCT 1989		3-OCT 89																					
Comments																							

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULES 9 AND 11  
APPEALS BY MR AND MRS PATTERSON  
APPLICATION NOS:- 4/1496/88 AND 4/1612/88LB

1. I have been appointed by the Secretary of State for the Environment to determine your clients' appeals. These appeals are against the decision of the Dacorum District Council 1. to refuse planning permission for, and 2. to refuse listed building consent for a UPVC conservatory and a dwarf brick wall, Hudnall Common Farm, Hudnall Common, Little Gaddesden. I have considered all the written representations made by you and by the Council and also those made by interested persons. I have also considered those representations made directly by other interested persons to the Council which have been forwarded to me. I inspected the site on 31 May 1989.

2. I first turn to appeal 2. From what I have seen and read of this matter, I have come to the conclusion that the decision in this case turns upon whether or not the use of UPVC in the construction of a Victorian style conservatory would adversely affect the character of the Grade II listed building to which it would be attached.

3. The appeal building is a 16th century, 2 bay, lobby entrance, timber framed house that has been altered in the 17th century and the 19th century. Further, it has recently been refurbished. The Council have raised no objection to the principle of attaching a Victorian style conservatory to it. I concur with the Council that such an extension would not have a significantly adverse impact upon the character of this listed building.

4. I consider that one of the principal architectural qualities of the appeal building is its external texture. This texture derives from the use of naturally occurring local materials, and lends to the building a sense of harmony. To my mind, UPVC is a harsh artificial material whose finish and texture are alien to those of the adjoining timber windows. This contrast between natural materials and UPVC was evident to me when I inspected Meadow Farm. Hence I have concluded that the texture of the proposed UPVC conservatory would conflict with that of the appeal building. Further, timber windows either comprise an assembly of timbers, or else are cut out of solid timber. This lends to them a depth of moulding and sharpness of form. UPVC is an extruded material that lacks these very qualities of depth and sharpness, even when several extrusions are added together. Hence, I am not convinced that UPVC frames as currently extruded and assembled may create an accurate replica of timber frames.

5. I have considered your claim that your UPVC conservatories may only be differentiated from wood up to a distance of some 3 m. The surface texture and the shallow depth of the colour of the UPVC conservatory at Meadow Farm enabled me to identify it as a UPVC construction on first seeing it. Further, its flat members and shallow detailing contrasted significantly to the modelling of the frame and glazing members that I would have expected to observe in a timber conservatory. Hence I concluded that a UPVC conservatory similar to that at Meadow Farm would be distinguishable from a timber one at a considerable distance.

6. Paragraph 92 of Government Circular 8/87 advises that additions to historic structures should harmonize with their surroundings. I consider that the UPVC will conflict with, rather than harmonize with, its surroundings for the reasons set out above. Hence I have reached the conclusion that the use of UPVC would run counter to Government policy with respect to additions to listed buildings. I have taken note that UPVC has been used for conservatories attached to other listed buildings. I further appreciate that consent was granted for the erection of a bay window in UPVC here. To my mind, it is the impact of a particular proposal upon a particular listed building that is paramount. Hence I am not able to accept that either its approved use on other buildings, or the grant of planning permission here for a UPVC bay window, sets a precedent in this instance.

7. Turning to appeal 1., Circular 8/87 advises that planning permission should not be granted where the proposed development adversely affects the character of a listed building. Hence I have concluded that it would be inappropriate to grant planning permission for the proposed conservatory.

8. I have considered all other matters raised, including the fact that the proposed conservatory could not be seen from a public highway, and I find that none of these is of such import as to override the conclusions on the major issues that have led to my decision.

9. For the above reasons, and in exercise of the powers transferred to me, I hereby dismiss both these appeals.

I am Gentlemen  
Your obedient Servant

Geoffrey S. S. Lane

GEOFFREY S S LANE DiplArch DiplTP RIBA MRTPI  
Inspector