



GOVERNMENT OFFICE
FOR EASTERN REGION

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26 January 1999

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Our Ref: APP/A1910/E/98/814534

Your Ref: 2082/DWR Appeal 01

27 JAN 1999	
Comments	

Dear Sir

**PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990 -
SECTION 20**

**APPEAL BY ASHRIDGE (BONAR LAW MEMORIAL) TRUST
ASHRIDGE HOUSE BERKHAMSTED HERTFORDSHIRE
APPLICATION NO: 4/01892/97/LBC**

1. I am directed by the Secretary of State for the Environment, Transport and the Regions to refer to your clients' appeal against the decision of Dacorum Borough Council to refuse listed building consent for the removal of partitions, the formation of two archways and the alteration to an existing archway to the east wall of the foyer to the Brindley Suite at Ashridge House, Berkhamsted, Hertfordshire.

2. An officer of the Department has visited the building and has considered the written representations made in support of the appeal proposal, together with those of the Council and English Heritage. A copy of his report (SVR) is appended to this letter. The officer recommended, in view of the considerations expressed in paragraphs 11 - 19 of his report, that the appeal be allowed.

3. The Secretary of State has given careful consideration to the officer's appraisal and to all the arguments for and against the appeal proposals. In considering the officer's report, he has read "west" in line 7 of paragraph 13 and in line 9 of paragraph 17 as "east".

The Statutory Designation of the Appeal Building

4. Ashridge House is listed Grade I. In determining your clients' appeal, the Secretary of State has had special regard to section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 relating to the desirability of preserving listed buildings, or their settings or any features of special architectural or historic interest which they possess.

National and Local Plan Policy Guidance

5. Government policy on the protection, preservation etc of listed buildings is set out in Planning Policy Guidance Note 15: "Planning and the Historic Environment" (PPG 15). In determining the appeal, the Secretary of State has had regard to paragraphs 3.4 – 3.6; 3.12, 3.13, 3.15 and C.58. He has also had regard to Hertfordshire Structure Plan Review 1991 – 2011 policies 1 and 38 and Dacorum Borough Local Plan policy 109. Policies 1 and 38 refer to the protection, conservation and enhancement of the County's built heritage (including listed buildings and their settings). Local Plan policy 109 seeks to ensure alterations to listed buildings are carried out in a manner appropriate to their internal appearance and to resist interior works which would adversely affect their special character and interest.

The Main Issue in the Appeal

6. English Heritage were concerned that the wall through which the two proposed new arches would be formed was an original and historic part of the building. The appeal proposal would remove a substantial part of the wall. In their opinion there was no good reason for its removal. The Council considered that the appeal proposal had to be viewed in the context of the building's Grade I listing. The wall formed part of the historic development of Ashridge and the proposed works would obscure that developmental history. The creation of two large arches would effectively assimilate the nineteenth century development into the late twentieth century development. To obscure the legibility of the plan would be wrong in principle. Successive changes to the building, though minor when considered in isolation, might, when taken together, constitute an erosion of the building's character.

7. The Secretary of State is of the opinion that the main issue in your clients' appeal is whether the proposed works would harm the special interest of Ashridge House. In reaching his decision he has had regard to the following factors:

- i) whether the wall possesses historic interest;
- ii) whether the works would adversely affect the ability to trace the building's developmental history and the legibility of its plan;
- iii) whether dismissal of the appeal would be justified on the grounds that successive minor alterations could erode the building's character.

The Secretary of State's Consideration of the Appeal Proposal

8. The Secretary of State shares the officer's view that the east wall of the foyer post-dated the gothic revival work of Wyatt and Wyattville, that no evidence pointed to it ever being of more than utilitarian character and that its context had been entirely altered. He accepts that there was no evidence that it would be possible accurately to reconstruct the appearance of the wall (SVR 14). He agrees with the officer that the reference by English Heritage that the wall "is an original and historic part of the building" needed heavy qualification.

9. The officer considered that although the work proposed was undoubtedly a pastiche, the new internal arcading would be sufficiently different from the external work that inspired it, not to diminish the integrity or the architectural effect of the external courtyard elevations. The Secretary of State agrees with the officer's assessment. He accepts that the new arcading would be a visually striking element in an otherwise late 20th century visual setting of no great character. For the first time a larger space would be created which would flow from the new Brindley Room to the internal wall of the quadrangle façade. The officer considered that the small cellular internal spaces incorporated into the enlarged foyer did not possess any positively meritorious architectural character. No historic buildings issue was raised by the enlargement of the rooflights or the blocking up of the projection window. The Secretary of State agrees with these views. He also accepts that the infilling of the two shallow recesses would not remove an architectural feature of any particular significance (SVR 17).

10. The Secretary of State recognises that the enlarged foyer would more consciously comprise a blend of early 19th century and late 20th century elements. However, as the officer noted, no main axis of the building would be changed and no purposely designed older architectural feature of value would be lost. He considers that these two factors are important and should be given weight in the determination of your clients' appeal. The Secretary of State is satisfied that the evolution of that part of the building complex at Ashridge would not be made materially more difficult to trace, nor the legibility of the overall house plan affected.

11. Like the officer, the Secretary of State does not consider that concern over the possible destructive consequences of a series of minor alterations or the fact that the proposed works are no more than an upgrading of facilities justify the dismissal of the appeal. He appreciates that the removal of any part of the evolving building process in a large and complex historic building is a serious matter. Nevertheless, the Secretary of State agrees that the appeal proposal would not be contrary to the advice in PPG 15 or the relevant development plan policies, and that it would not harm the special interest of the building. He therefore proposes to allow your clients' appeal. In doing so, he will impose the conditions suggested by the Council in their statement, but amended so as to make them more precise.

The Secretary of State's Formal Decision

12. For the reasons given above, the Secretary of State agrees with the officer's appraisal and accepts his recommendation. Accordingly, he allows your clients' appeal and grants listed building consent for the removal of partitions, the formation of two archways and the alteration to an existing archway to the east wall of the foyer to the Brindley Suite at Ashridge House, Berkhamsted, Hertfordshire, subject to the following conditions:

- i) The works hereby granted consent shall be begun before the expiration of five years from the date of this consent.
- ii) No works of any kind shall be commenced on site until full constructional details, at 1:20 scale, of the proposed new pyramid rooflights (plan and section) have been submitted to, and agreed in writing by, the Local Planning Authority. The rooflights shall be constructed only in accordance with the approved details.

iii) No works of any kind shall be commenced on site until full constructional details, at 1:20 scale, of the new arches to be formed in the wall (plan and section) have been submitted to, and agreed in writing by, the Local Planning Authority. The arches shall be constructed only in accordance with the approved details.

13. Your clients' attention is drawn to the fact that an applicant for any consent, agreement or approval required by a condition of this consent has a statutory right of appeal to the Secretary of State if consent, agreement or approval is refused, or is granted conditionally or if the authority fail to give notice of their decision within the prescribed period.

14. This letter does not convey any approval or consent which may be required under any enactment, bylaw, order or regulation other than section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

15. A separate note is enclosed setting out the circumstances in which the validity of the Secretary of State's decision may be challenged by the making of an application to the High Court.

16. Copies of this letter have been sent to Dacorum Borough Council and to English Heritage.

Yours faithfully

Andrew N Hayes

ANDREW N HAYES

Authorised by the Secretary of State
to sign in that behalf

Tollgate House
Houlton Street
Bristol
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444

- 9 DEC 1998

To The Right Honourable John Prescott MP
Secretary of State for the Environment, Transport and the Regions

Sir

1. I have been asked to report on the appeal by the Ashridge (Bonar Law Memorial) Trust, made under Section 20 to the Planning (Listed Buildings and Conservation Areas) Act 1990. This is against the refusal of the Dacorum Borough Council to grant listed building consent for the removal of partitions, formation of two archways and alteration to the east wall of the foyer to the Brindley Suite at Ashridge House, near Berkhamsted. I made an accompanied inspection of the building on your behalf on 2 November 1998.
2. The building which is the subject of this appeal was added to a list of buildings of special architectural or historic interest on 14 May 1952 in grade I. The list description is lengthy and detailed and is to be found at Appendix 7 in the appellant's statement accompanying the appeal and again at Annex 1 of the Council's statement.
3. This report contains a description of the appeal building, my appraisal (on the basis of my observations and the written representations of the parties) of the likely impact of the proposed development, and my recommendation as to the decision which might be made in this case. A list of persons present at the site visit is appended.
4. My appraisal and recommendation bear in mind the duty imposed by Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 in relation to the desirability of preserving a listed building, or its setting, or any features of special architectural or historical interest which it possesses.

THE APPEAL BUILDING

5. Ashridge House is a very substantial building standing in extensive and attractive landscaped grounds. The main body of the present house was built between 1808 and 1813 for the 7th Earl of Bridgewater. It was designed by James Wyatt but, after his death completed and embellished by his nephew Jeffry Wyattville. It stands on the site of a 13th century monastic college which subsequently became a royal home. All that remains of the earlier building is the undercroft, incorporated as part of the basement, and a pair of carved oak doors at one end of the serving corridor on the ground floor.
6. The house, which is faced with Totternhoe stone, nearly white in colour, has three main elements. The main entrance leads into a towering hall off which are the public

rooms. To its east are private apartments and the orangery. To its west are the chapel and, round a series of courtyards, domestic offices. It is at ground floor level in this western part of the house that the appeal area lies. The house has been used as a college since 1921, and as the Ashridge Management College since 1954. In adapting to the needs of the enterprise much money has been spent on repair, restoration and some new building.

7. The four application plans are at Appendices 1 and 3 of the appellant's statement. After a revision of the proposals they comprise 2082 S/2, PD/2, PD/3 and PD/4. James Wyatt's plan of 1807 and Jeffry Wyattville's plan of 1823, both of which show stages in the evolutions of the house, form Appendices 5 and 6 of the appellant's statement. Photographs of the area of the proposed works and surrounding views, with a location plan, are at Appendix 8.

8. The foyer to the Brindley Suite lies to the west of a quadrangular court shown on the Wyatt and Wyattville plans. The arcading to the quadrangle and the exterior east wall behind the arcading, faced in gault brick with hamstone mouldings; are shown on those plans. The other parts - the foyer and the Brindley Suite - are of a later date. The Brindley suite was constructed following a grant of listed building consent in 1983. The appellant states that the teaching room "occupies the drying ground of the original laundry and the foyer occupies a long narrow space sliced off the drying ground to produce a sewing room some forty years ago". The "drying ground" is shown on the 1807 and 1823 plans.

9. The present foyer area, shown in photographs 5, 6 and 7 at Appendix 8, is entirely modern in character, with little visible material of older date. The walls and roof are mostly faced in painted plaster, it is lit by modern rooflights, and the doors are in stained wood and of recent date. The floor is surfaced in plastic tiles.

10. However, the east wall of this foyer, separating it from the present "smoking area", is of C19th origin and faced in painted brick. The appellant's statement says there was a grant of listed building consent in 1983 to remove two small windows within this east wall; the newer brickwork then inserted is visible on close inspection. The Council describes it as "the rear wall of a building designed by the nephew of Sir Jeffry Wyattville, Matthew Digby Wyatt, around 1850" (Council statement, para. 5.4). The appellant's agent says that its outline has been sketched on to the 1807 plan at a later date, but that there is no documented authorship of this part of the house, and that the character differs from the Wyatt and Wyattville work in not being Gothic. There is no agreed statement on the matter by the two parties in the evidence. However, at the site visit the position of the wall in question on the 1807 Wyatt plan (Appendix 5) was agreed by the representatives of the appellant and the District Council, and is signified in red ink on that plan.

APPRAISAL

11. The proposals would enlarge the foyer area to provide a larger break and refreshment area. Three new, virtually equidistant, structurally self-supporting arched openings would be created in the east wall of the foyer. The northernmost two openings

would be in the approximate position of the two removed windows. The southern opening exists, though its detailing is plain and modern (photograph 7 in Appendix 8 of the appellant's statement). It appears to be part of the works executed under the 1983 listed building consent. It would be remodelled, like the other two new openings.

12. The agent describes this work as follows:

"the proposed new arches are to be the same height, width and curvature as the arches on the Quadrangle elevation, using the same brick and same type of stone: however, the stone detailing is slightly different in order to accommodate the stone shelf/capital and the servery counter" (letter of 2 November 1998).

The external arches in question, on the west side of the quadrangle, are shown in a photograph (idem, photograph 3).

13. It would appear that the existing brickwork of the east wall of the foyer would need to be taken down entirely and rebuilt. Any existing surface plaster would be removed, existing gault bricks cleaned and re-used, with flush mortar joints, and the arches detailed in new hamstone. Other works in the area would comprise a new timber servery behind the southernmost arch, enlarged versions of the two existing modern rooflights along the axis of the foyer, and the blocking up of a small projection window on the modern west wall of the foyer. On what would be the new west wall of the enlarged foyer, the horizontal length of two small and shallow ceiling recesses, over a window and door respectively, would be infilled to match the southernmost opening.

14. The fabric that would be demolished - the east wall of the foyer - post-dates the gothic revival work of Wyatt and Wyattville. No evidence points to it ever being of more than utilitarian character. Its context has been entirely altered: first by work earlier this century to create a sewing room, and secondly by the subsequent work given listed building consent in the 1980's to create the Brindley Room. There is no evidence that it would be possible accurately to reconstruct the appearance of the wall, even so recently as before the removal of the two windows in 1983.

15. In the light of these facts, the reference by English Heritage in its letter of 15 January 1998 to the Council that the wall "is an original and historic part of the building" needs heavy qualification. Nevertheless, the removal of any part of the evolving building process in a large and complex historic building is a serious matter.

16. The work proposed is undoubtedly a pastiche, mimicking external arcading only 5 m away to the east. However, I consider that the new internal arcading would be sufficiently different - in distance and context - from the external work that inspired it, not to diminish the integrity or the architectural effect of the external courtyard elevations.

17. Considered in the context of the remodelled foyer, the new arcading would be a visually striking element in an otherwise late 20th century visual setting of no great character. It would create a larger space which would, for the first time, flow from the new Brindley Room to the internal wall of the quadrangle facade. The small cellular internal spaces thereby incorporated into the enlarged foyer do not now possess any

positively meritorious architectural character and also post-date the Wyatt and Wyattville work. There is no historic buildings issue raised by the enlargement of the modern rooflights or the blocking up of the projection window in the modern west wall of the foyer. The infilling of the two shallow recesses, in what would be the new west wall of the enlarged foyer, would not remove an architectural feature of any particular significance.

18. If the appeal were allowed, the enlarged foyer would more consciously comprise a blend of early C19th and late C20th elements. However, no main axis of the building would be changed, and no purposely designed older architectural feature of value lost. The evolution of this part of the building complex at Ashridge, would not be made materially more difficult to trace, nor the legibility of the overall house plan affected. I have given thought to the undoubtedly true argument that a series of minor alterations may in themselves be as destructive of the character and integrity of a listed building as a single major change. It is also true that the work sought is in essence an upgrading of facilities rather than something that is vital to the functioning of the college. However, in the present case those arguments do not seem to me to justify a dismissal of the appeal.

19. Overall, I consider that the proposals would not be contrary to guidance in PPG15, or the relevant policies in the Structure or Local Plans. Unless the Secretary of State takes the view that the introduction of any new imitative architectural element is intrinsically undesirable, my overall assessment is that the new work would not harm the special interest of the building. If the Secretary of State agrees with my reasoning, I consider that the Council's suggested condition in section 7 of its representation statement, to be attached to any listed building consent, is appropriate and necessary.

RECOMMENDATION

20. I recommend that the appeal be allowed.

I have the honour to be
Sir
Your obedient servant

Charles Hoile

CHARLES HOILE MA(Oxon) DipTP MRTPI
PINS

PERSONS PRESENT AT THE SITE VISIT

For the Appellant: Mr S Jones, Derek Rogers Associates

For the Council: Mr C K Fulbrook, Head of Conservation, Dacorum Borough
Council Planning Department



PLANNING

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Applicant:

ASHRIDGE (BONAR LAW MEMORIAL) TRUST
ASHRIDGE MANAGEMENT COLLEGE
ASHRIDGE HOUSE
BERKHAMSTED
HERTS
HP4 1NS

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION - 4/01892/97/LBC

**ASHRIDGE MANAGEMENT COLLEGE, ASHRIDGE, BERKHAMSTED, HERTS,
HP4 1NS
REMOVAL OF PARTITIONS, FORMATION OF TWO ARCHWAYS AND
ALTERATION TO EXISTING ARCHWAY TO EAST WALL OF FOYER TO
BRINDLEY SUITE**

Your application for listed building consent dated 04 December 1997 and received on 05 December 1997 has been **REFUSED**, for the reasons set out overleaf.

Director of Planning

Date of Decision: 12 February 1998

REASONS FOR REFUSAL APPLICABLE TO APPLICATION: 4/01892/97/LBC

Date of Decision: 12 February 1998

The proposed removal of a section of wall between the foyer area and a smoking lounge will be detrimental to the architectural character and historic form of this Grade 1 listed building because it fails to respect a principal symmetrical axis. It will erode, by piecemeal demolition, the historical structure with the disintegration of the plan form and the logic of the original design.