



Appeal Decision

Site visit made on 27 February 2018

by Claire Searson MSc PGDip BSc (Hons) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 19th March 2018

Appeal Ref: APP/J1915/Y/17/3190646
102 Orchard Road, Tewin, AL6 0LZ

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr and Mrs G & O Morrisroe against the decision of East Hertfordshire District Council.
 - The application Ref 3/17/2235/LBC, dated 15 September 2017, was refused by notice dated 20 November 2017.
 - The works proposed are described as "*Proposed internal alterations including: removal of existing ground floor walls to create kitchen/dining room with new island; construction of new wall and doorway to create smaller ground floor w.c.; addition of worktops/sink to existing ground floor study in order to create new utility room; addition of new doorway between proposed kitchen/diner and utility room; conversion of Bedroom 5 into family bathroom and en-suite to bedroom 4 involving the removal of existing walls, erection of new walls, creation of new opening and installation of new bathroom/shower suites; conversion of existing family bathroom into dressing room; installation of new shower suite into master en-suite; and enlarged opening and new door to master bedroom.*"
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed works would preserve the grade II listed building or any features of special architectural or historic interest that it possesses.

Reasons

3. No 102 Orchard Road is a grade II listed building which forms part of a group separately listed buildings at 102-106. These were all designed by Mary Crowley for her family, in collaboration with Cecil Kemp. Dating from 1936, the building is 2-storey in height and rectangular in form, with an unusual mono-pitched roof. The property, along with Nos 102 and 104, represents a fine example of the international modernist movement, but with local adaptations, including use of local buff brick and Staffordshire blue pantile roof covering as well as neutral colour paint to the windows and eaves, in order to blend the dwellings with their rural setting.
4. The internal layout of the building exploits the rear southern aspect of the dwelling, with habitable rooms positioned to the rear and circulation spaces and

service rooms located to the front. To the ground floor there are large open-plan spaces to the rear, with long kitchen and hallway to the front of the dwelling. Upstairs has a more traditional arrangement following an arts and craft model with four rear bedrooms of different sizes accessed via a long corridor to the front. The positioning of the Crittall windows reflect the internal arrangements.

5. The property has been extended and altered to the south-eastern side creating a kitchen (with the original kitchen becoming a utility room), a study in the original garage, and a fifth bedroom and two bathrooms above. It would appear that this work was undertaken relatively soon after the original dwelling was built, as evidenced by the 1937 map within the submitted Historic Building Appraisal undertaken by BEAMS.
6. Other extensions to the north and western sides were granted consent in 1973, although these are not referenced in the 1982 listed building description. Internal alterations have also occurred at ground floor level, including the insertion of a bathroom adjacent to the hallway, removal of the division of the sitting room and bed sitting room and the partitioning of the dining recess.
7. In my assessment, its striking adapted international Modernism design as well as its association with revered architect Mary Crowley contribute to the special architectural and historic interest of the listed building. While some alteration has occurred to the ground floor, its significance is also derived from the internal plan form and the hierarchy of spaces within the building and the combination of modern and traditional plan forms.
8. A number of alterations to the internal layout of the property are proposed and would provide improvements to the bathroom, kitchen and dining facilities as part of contemporary living. To the ground floor, the works include the removal of the wall and cupboards between the existing dining room and utility. In addition, the original external wall between the dining room and kitchen would also be partially removed in order to create an open plan, kitchen, dining and seating area.
9. It is asserted by the appellants that the creation of a more open-plan house is sympathetic to the ideals of the original design. However, I consider that the removal of the wall as well as the original in-built cupboards between the dining room and utility would extinguish any sense of the legibility of the historic layout and the division of the service rooms to the front of the building and the living accommodation to the rear.
10. I consider that the south-eastern extension which houses the current kitchen was successful in retaining this sense of separation between the service rooms. As such, the opening up of the original external wall to the extent proposed would diminish this further. While the appellants have sought to reduce the width of this opening, based on feedback given at pre-application stage, this would not overcome my concern.
11. Restoration of the through linkage from the hall is welcomed, however this would not offset the harm I have identified to the surviving plan form and fixtures.

12. The first floor would also be altered to create a master bedroom suite. This would necessitate the creation of a bathroom and en-suite within bedroom 5 and the loss of two in-built cupboards in bedrooms 3 and 5.
13. As evidenced by the BEAMS report, careful attention was given to practical and functional internal design including the inclusion of large built in cupboards. These were specifically referenced as per the quote reported within the BEAMS report from *Architect and Building News* and are also noted within the submitted extract from *Modern Hertfordshire*.
14. The Council consider that the loss of these is not harmful to the significance of the heritage asset and are resolved to their loss. However, in light of the statutory duties upon me as per section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in respect of the significance of the layout, again I consider that the loss of part of the traditional and original cellular plan form to the upper floors of the building to be harmful.
15. Cumulatively, the works would substantially reduce the legibility of the historic layout and the integrity of the design at both levels would be lost.
16. My attention has been drawn to approved alterations to No 104 Orchard Road whereby internal alterations were permitted in 2002 and 2013, including the removal of an original wall. These decisions were reached in light of the particular circumstances found for No 104 and I do not consider that the works here would set an obvious precedent to assist in this appeal. While Nos 102-106 were designed and built at the same time, they were planned to meet the requirements of individual families and as such each dwelling has a slightly different character. Accordingly, I have assessed this proposal on its own merits and in the light of the way the layouts of this building was designed, the evolution of the building and the special interest of the plan form.
17. The works would affect only part of the listed building and therefore in terms of the National Planning Policy Framework (the Framework) the harm caused to the significance of the asset would be less than substantial. Paragraph 134 of the Framework states that where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, that harm should be weighed against the public benefits of the proposal.
18. I give great weight to the conservation of the asset and no such public benefits are advanced. Any such benefits arising from the works would largely be private, relating to the occupants of the premises. I therefore find that there would be insufficient public benefit to offset the identified harm or outweigh the special regard to be had to its preservation under the statute.
19. Overall, taking into account the particular circumstances and having carefully considered all the evidence, I conclude that the works would fail to preserve the special architectural and historic interest of the grade II listed building.

Other Matters

20. The appellant has raised concerns over the handling of the application by the Council in respect assertions made by the Conservation Officer in respect of the lack of approval for the existing extensions and the reliance of the Case Officer upon the advice of the Conservation Team. However, this is a matter between

parties and is not relevant to my determination of this appeal, which is based upon the evidence before me.

Conclusion

21. For the reasons above, taking into account all other matters raised, I dismiss both of the appeals.

C Searson

INSPECTOR