

North Hertfordshire District Council

Building Conservation comments

File Ref: 24/01691/FP

Date: 24/02/2025

Planning Officer: AH

Address: Land northeast of Dower House, Hitchin Road, Preston, Hertfordshire

Subject: Erection of one self-build detached 6-bed dwelling including parking and landscaping and rebuilding of brick boundary wall.

1.0 Summary

- 1.1 Following receipt of email from Hughes Planning with Earth Moving Strategy attached on 6 February 2025, I respond as follows:

The Walls of the Walled Garden

- 1.2 My only comment with respect to Rob's response is the very last sentence where he says: *"Currently the walls benefit from no planning protection"*.
- 1.3 Forming part of the application submission is Historic England's pre-application response dated 7 July 2023 and I refer to the following extract (my emphasis in bold): ***Additionally, various structures are recognised as non-designated heritage assets, including: the pumping station and barn in the parkland south of the mansion; the agricultural building in Summerhouse Plantation; the Lodges on the park's southern boundary; the barn at the Dower House; and, of particular relevance to this consultation, the walled garden adjacent to the Dower House.***
- 1.4 Whilst not listed or curtilage-listed, the non-designated heritage asset assignment is such that paragraphs 216 and 217 of the NPPF (see below) would apply.

216. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

217. Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.

- 1.5 I am pleased to note Rob's comment that *"The conditions that you (me) have suggested would ensure that the existing wall is recorded, and that the details of the new replacement wall is designed and built in the same style"*. This addresses Historic England's comments on 23 August 2024 that the walls could be dismantled and reconstructed *"provided that it replicated its design and construction detail. We advised that recording to an appropriate level would help to ensure this, but unfortunately, the application does not seem to have included any detail of the proposed wall design. We therefore recommend that this should be subject to a planning condition so that the detailed design can be agreed by your conservation officer prior to commencement of development"*.

Conditions

- 1.6 Rob's comment is noted.

Minor (Suggested) Design Amendment

- 1.7 I note Rob's comments and the explanation given and as he says, "*all things considered, we feel that the design as it is, is preferable*".

Even though my professional view is that the extensive linear form created to the garden frontage is excessive and that the entrance courtyard is distinctly uncharacteristic of a walled garden environment, I understand the design rationale i.e. the sense of conceal and reveal. Whilst disappointing to note that the applicant has not changed the scheme to reflect these changes, I also note that the roof is intended to receive a solar array, and that this scheme has Historic England support. For these reasons, I am minded not to pursue an amended scheme and that an objection cannot be sustained in heritage and design terms.

Earthworks

- 1.8 I note the submitted Earthmoving Works Strategy and leave this matter with the case officer to consider.

2.0 Recommendation.

- 2.1 Paragraph 135c) of the NPPF refers to new development being '*sympathetic to local character and history, including the surrounding built environment*'. Paragraph 210 of the NPPF says that in determining applications, local planning authorities should take account of 'the desirability of new development making a positive contribution to local character and distinctiveness' whilst at paragraph 213 it says that '*Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.....*'.
- 2.2 Considerable importance and weight are given to the special attention that should be paid to the desirability of preserving or enhancing the RPG and the setting of the Dower House and wider setting of Temple Dinsley. The applicant acknowledges at 6.190 of the DAS that the proposals would cause harm to the RPG, and by extrapolation, its listed buildings/structures, for the reasons supplied within the HE initial pre-app letter. This is because of the loss of the existing historic fabric of the walled garden and the introduction of a private domestic dwelling and garden into a historic space which up until now, has been devoid of built form and given over to horticultural activity and tree planting. These physical changes to the walled garden would be visible across the RPG, albeit mostly in restricted, incidental, visually distant views filtered by intervening tree cover across the estate. However, for the reasons explained by HE and within the Heritage Impact Assessment (HIA), the harm would be less than substantial and towards the lower end of the spectrum.
- 2.3 **I agree that the extent of any harm would be less than substantial and towards the lower end of the spectrum.** As acknowledged by the applicant, any level of harm requires clear and convincing justification and should be

accepted only if the LPA concludes that there is such justification and that the harm would be outweighed by the public benefits the proposals would secure.

- 2.4 There are key responses from Historic England and The Gardens Trust. I agree that the proposed development would result in direct physical and visual impacts to the walled garden as set out in HE's letter dated 7th July 2023, causing a low level of harm to the overall significance of the Registered Park and Garden. Impacts to the settings of other designated heritage assets would be limited, causing low-to-negligible levels of harm to their significance. **Impacts to the non-designated walled garden itself would cause a higher level of harm from the change of use and character as well as the loss of historic fabric arising from demolition of the surviving garden walls.**

- 2.5 Notwithstanding the above and having received the agent's response confirming that no changes are proposed, I still concur with Historic England that the proposals would deliver meaningful heritage benefits which includes: i) securing a positive function and future for the walled garden, ii) restoring its enclosed form, iii) sensitively rebuilding the surviving lengths of brick wall, and iv) reflecting historic horticultural activity and interest via the new domestic garden with productive elements. On this basis, I raise **NO OBJECTION**.

3.0 Suggested draft conditions.

- 3.1 The hard and soft landscaping schemes are well illustrated in the submission but for actual samples/details of external materials for the build and hard landscaping I leave these with the case officer to draft. I also leave you to consider as to how the cut and fill works are controlled and whether more details are required of the solar array and lighting schemes (see extract from The Gardens Trust).

However, we are concerned about the number of lights proposed for the garden, which could affect the views across the landscape from the house. We note that these have been assessed with a view to Sensitive Ecological Receptors but not the effect on heritage assets. Furthermore, we cannot find any details of the photovoltaic panels on the roof. We support the installation of these generally but as no details of their construction have been included, we are unable to assess their possible effect on the landscape from glare or reflection.

Otherwise, the conditions below relate specifically to the walled garden walls.

1. Prior to the demolition of the walled garden walls, a detailed survey shall be undertaken indicating precise height, coping, plinths, piers etc. of the existing walls, a copy of which shall be submitted to the Local Planning Authority.

Reason: To secure and safeguard the provision for inspection and recording of matters of architectural and/or historical importance associated with the walled garden walls that will be lost because of the approved demolition.

2. Prior to the demolition of the walled garden walls, detailed elevations / sections informed by the above condition and The Priory Heritage Condition Inspection Report, shall be submitted to, and approved in

writing by the Local Planning Authority. Thereafter, the walls shall be constructed in accordance with the approved elevations/sections.

Reason: To ensure that special regard is paid to protecting the special character of the Registered Park and Gardens, the setting of the Preston Conservation Area and the setting of nearby listed buildings under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy HE1 of the Local Plan.

3. Prior to the demolition of the walled garden walls, a sample brick panel shall be erected on site indicating brick type, bond, and mortar mix for the new walled garden walls and this shall be made available for inspection by the Local Planning Authority and then approved in writing by the Local Planning Authority. Thereafter the new walled garden walls shall be erected in accordance with the approved sample panel.

Reason: To ensure that special regard is paid to protecting the special character of the Registered Park and Gardens, the setting of the Preston Conservation Area and the setting of nearby listed buildings under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy HE1 of the Local Plan.

Mark Simmons
Senior Conservation Officer