

REPORT FOR INDEPENDENT INSPECTOR

Comments on the Appellant's Statement of Case

28 South View, Letchworth Garden City

1. INTRODUCTION

- 1.1 Please see my responses where relevant below to the appellant's Statement of Case

2. THE PROPOSALS

- 2.1 External Wall Cladding

3. POLICY FRAMEWORK

- 3.1 The Design Principles state:

Homes of Special Interest

External wall cladding can also have a negative impact on the appearance and character of a historic building. Heritage Character Area homes are often characterised by detailing, for example string courses, window head and cill detailing, cornicing and decorative plaques. Applying wall insulation externally can cover up these important features or alter reveals and the relationship of the roof with the house. Therefore, present systems are normally damaging to the character of the property and its context. Even the appearance of a relatively plain house can be affected by deeper window and door reveals. Present external wall cladding systems are approximately 50mm thick. When applied to a single house in a pair of semi-detached, a terrace or a group, the effect can be detrimental to the appearance and cohesion of the group. Therefore, external cladding of Heritage Character Area homes will only be supported when:

- the detailing and features of the property, including the brick and render finish, string courses, window and door reveals, are maintained or carefully recreated.
- the house is detached.
- all of the properties in a pair of semi-detached, terrace or group, collectively and simultaneously implement the works.

- 3.2 External cladding is not acceptable on Homes of Special Interest.

4. SCHEME OF MANAGEMENT AND DESIGN PRINCIPLES BACKGROUND

- 4.1 Under the terms of the Scheme of Management, the Heritage Foundation cannot unreasonably withhold its consent to an application to carry out alterations which falls within the appropriate covenant. In the cases that have come before the Courts under the Scheme of Management, the Scheme Managers' decision could only be challenged if it was shown to be one which no reasonable body of Managers could reach.

4.2 When arriving at our decision, we took account of the fact that the object of the Scheme as set out in paragraph 2, is: -

"To ensure for the benefit of tenants of houses, buildings and land on the Estate.... and of freeholders of such houses, buildings and land that the Estate and the standards of appearance and amenity (whether existing or in future) on the Estate shall be preserved and not deteriorate by reason of any tenant of a house in the Scheme Area acquiring the freehold of the house...."

The decision is therefore made on estate management grounds with a view to preserving standards of appearance and amenity.

4.3 The Heritage Foundation is not concerned with planning criteria or whether or not the building is in a conservation area or whether the building is a listed building. These are matters which are the sole responsibility of the local planning authority.

4.4 28 South View is considered to be a fine example of the arts and crafts style which contributes to the character and appearance of the street scene and is also a part of a group of 4 houses designed by an established Architectural practice of the Garden City Estate.

4.5 The purpose of design guidance is to provide assistance for applicants and their architects/surveyors as to what may or may not be reasonably acceptable in certain circumstances. However, in view of the breadth of styles of property and street scene in the Garden City Estate, the general guidance cannot give an answer to each and every case. There may be cases where an application which otherwise satisfies the design criteria might be refused. An example might be a house designed by one of the important "arts and crafts" architects whereby the proposed alteration would be detrimental to the character of the building, particularly as viewed from the street, and where it would be reasonable, in the circumstances of that particular property, to withhold consent.

4.6 The Heritage Foundation have had a version of the Design Principles for many years. Indeed, a variation of this was produced in 1906 and called First Garden City Building Regulations. However, more recently there has been:

1989-1999 – Design Guidance
1999-2008 – Design Guidance
2008-2015 – Design Standards
2015 – Present Design Principles

5. COMMENTS ON THE APPELLANT'S STATEMENT OF CASE

5.1 At point 1 the appellant breaks down their case into 4 headings –

5.1.1 Ignore Health and Wellbeing

As explained in 4.1-.4.6, this is outside of the remit of the Scheme of Management and cannot form part of any consideration. However, the Foundation are well aware of the importance of maintenance and energy

efficiency and there is advice on maintaining your Heritage Character Home and an Energy Efficiency guide which provides information and links to help.

[Forms and Downloads](#)

The Foundation has a draft Built Heritage Sustainability Policy, following workshops with Governors and the community which advocates a holistic whole building fabric first approach with breathability, ventilation and natural materials being the key elements. The Foundation has also been part of a Community Energy Fund project to look at First Garden City Retrofit Reimagined working with ASBP and People Powered Retrofit to develop a toolkit of works that can be carried out to the historic building stock without detriment to their health and appearance. This is showing that there are alternatives low cost options that can be explored that do not even require the consent of the Foundation up to bigger ticket items that would require our Consent. The aim of the toolkit is to help all residents across the estate when considering works to their properties.

5.1.2 **Mission creep**

On one hand the appellant is criticising the Foundation for not considering wider matters such as health and wellbeing whilst complaining about mission creep and overreach.

As paragraphs 4.1-4.6 demonstrate, there has always been design guidance to assist with estate management from 1906 onwards. At Clause 6 of the Scheme of Management, the Foundation are tasked with the consideration -

Any such development redevelopment or alteration shall be made in accordance with the approved plans drawings and specifications and shall be carried out in a good substantial and workmanlike manner with sound and proper materials

Consequently, our remit is not only directed at approved plans and drawings but includes specifications and materials that are to be used.

5.1.3 **Resist National and Local Policy Direction**

As paragraphs 4.1-4.6 set out the remit and the fact that the Scheme of Management does not need to be in line with any planning policies as it is a separate layer of legislation falling under the Housing Acts.

The work around our Policy and approach towards sustainable conservation promotes natural materials, breathability and ventilation which is standard practice. As stated above, there are also other low key cheaper methods of improving your home. The cost of external wall insulation is prohibitive to most people and as such our energy has been spent on providing a toolkit of other options.

In the last 3 years, we have received 7 applications for EWI out of a case load of 2700 applications. We also work closely with the local housing associations.

The Foundation as such dispute the statement that - *In Letchworth both social housing providers and private homeowners are submitting applications to the Heritage Foundation to externally insulate houses. These applications appear to stall in the Heritage Foundation planning system. Denying property owners, the right to insulate homes goes against the fundamental principle behind Letchworth's founding principles of tackling poverty and sickness.*

5.1.4 **Fail to recognise external insulation product development**

There has always been a tradition of advocating breathable, natural materials on historic buildings which has evolved into insulating products and systems. There have also been petrochemical solutions. The debate over the best and most suitable options will always form part of the dialogue, especially when working with older traditional homes.

Again, the appellant criticises the Foundation for overreach whilst expecting the Foundation to be aware of developments in EWI. Within the application submission, there was insufficient evidence submitted to show that the proposals will not harm the overall appearance of the property as well as clear concerns over the suitability of the products when breathability is a key concern of the Foundation. The Design Principles are clear in their statement regarding Homes of Special Interest where external wall insulation is not acceptable.

5.2 **The property does not merit being designated as a “Home of Special Interest”**

The Homes of Special Interest were introduced in 2015 and sit within the Heritage Character Area Design Principles. The list is based on the work of Dr Mervyn Miller, a Letchworth Garden City scholar and international expert in the Garden City movement. Members of the then Heritage Advice Team reviewed his findings, and all owners were notified that their building was considered a Home of Special Interest.

In this case, the work is by Bennett and Bidwell an important architectural practice, trained by Parker himself. They worked extensively in Letchworth Garden City between 1905-39 with the majority of their homes being included within the list because of their contribution to the architectural strength of the core of the new Garden City.

The importance of their legacy and the impact that the proposals would have on the external appearance of the property, result in a case where the comment in paragraph 4.5 comes into its own.

An example might be a house designed by one of the important "arts and crafts" architects whereby the proposed alteration would be detrimental to the character of the building, particularly as viewed from the street, and where it would be reasonable, in the circumstances of that particular property, to withhold consent

5.3 **The proposed works will be consistent with the character of the locality and improve the “standard of appearance”**

It is the Foundation’s view the submission from the appellant was not sufficiently detailed enough for a view to be taken on this aspect. The proposals were basic and clumsy for example – the poor solution proposed to the side chimney stack and breast, with the corbelling blocked off with a lead capping and the loss of drip mould details . There was no subtlety to the proposals which failed to respect the original building design and detailing.

Reference to Appendix B again is not relevant, as 4.1-4.6 explains that our remit is not influenced by the Planning process.

5.4 **Inadequate clarity about details to the retained**

The Case Officer provided extensive details to the appellant and was indeed continuing to negotiate but this process was cut short at the request of the appellant and the decision was made on the information that had been submitted. As detailed in our statement of case insufficient information was provided to the HAS, AMC and HAC for the clear Design Principle that external cladding is not acceptable on Homes of Special Interest to be overridden.

6. CONCLUSION

6.1 Throughout this process the fundamental strength of the Design Principles and the lack of information provided to sufficiently reassure the Foundation that the works would not impact on 28 South View as a Home of Special Interest resulted in the refusal.