

Response to the Heritage Foundation Statement of Case For Planning Application 41888, 28 South View, Letchworth

19th March 2025

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Forward

As you review this case we would like you to consider the question:

What is the purpose of a house?

We suggest houses exist to provide shelter and comfort for their occupants.

The Heritage Foundation response to the planning application under consideration suggest they consider houses as “museum exhibits” for passers by.

Some Independent Inspector appeals will be controversial. For example, where an applicant wants to extend their house, improving their environment to the detriment of their neighbours.

However, depending on your view of the purpose of a house, this decision could be really clear cut. The house, after the proposed works, will be almost the same size and its appearance will be almost unchanged. Where there will be slight differences, its new appearance will be in keeping with the design of other houses in the Heritage Area. The impact on neighbours will be essentially zero and on passers by even less.

Upgrading a house from solid walls to insulated ones will, in winter, result in a very real improvement for the comfort and health of its occupants, as well as a large reduction in energy bills and environmental damage. It will preserve the building as a viable home for decades to come as the world moves towards a low carbon future.

We suggest that the Heritage Foundation are aware that the blanket ban on external insulation covering over 1700 houses would be hard to defend against a challenge of “unreasonably withholding consent” under the Scheme of Management. It appears to us that rather than try and defend the blanket ban, they have instead generated a large number of misdirections and distractions, relating to details whose impact on the appearance of the building will be far less than the fully approved change to enclose the recessed front entrance.

This appeal to the Independent Inspector has been made with the expectation that this appeal process is comparable with an appeal to the planning inspectorate. In particular, we expect the judgement of what is reasonable to be independent of the Heritage Foundations’ current interpretation of what is reasonable (their internally produced Design Principles).

Response to The Heritage Foundation Statement of Case

1. Introduction

- 1.1 This document provides a response to the Heritage Foundation Statement of Case on the following three key grounds:
- a) Inadequate justification for 28 South View being designated as a House of Special Interest.
 - b) The proposal for external wall insulation is well-considered, and will ensure the house has a character and appearance which fully aligns with the Heritage Character Area.
 - c) The guidance and processing of applications for External Wall Insulation are “Unreasonable”.

2. Inadequate justification for 28 South View being designated as a House of Special Interest

- 2.1 The Heritage Foundation Statement of Case describes the house as a “simple” design by “prolific architects”, this is clearly not “special”.
- 2.2 Paragraph 2.2 of their Statement of Case describes 24,26, 28 and 30 South View as “Buildings of Local Merit” because of their group value. At the time this text was produced it stated that the houses are of “simple but good-mannered original design somewhat modified by alterations”. The Inspector will find that considerable alterations have been approved since these words were written, with the group value further eroded. The extent of alterations that have now been approved on 24, 26, 28 and 30 South View refutes the idea that any of the properties in the “group” are of particular heritage interest.
- 2.3 Paragraph 2.2 re-enforces the impression that the Homes of Special Interest designation process is unsound. In particular:
- The basis for designating a Home of Special Interest should be properly sourced and publicly accessible, yet the extract provided at Paragraph 2.2 has no reference (title, author or publication date).
 - The extract describes four houses as being “Buildings of Local Merit”, it does not provide any rationale as to why three of the four houses went on to be designated as Homes of Special Interest.
 - It contains errors, 30, not 28, South View is the only property which retains timber window frames.
- 2.4 Given the assignment of a Home of Special Interest is subjective, arbitrary, not subject to appeal and is not described in the Scheme of Management the appellants respectively request that the decision on what is considered “reasonable” should treat any justification reliant on the “House of Special Interest” designation as immaterial.

3. The proposal for external wall insulation is well-considered and will ensure the house has a character and appearance fully aligned with the Heritage Character Area

3.1 The proposal under consideration will not lead to the loss of any of the features identified in Paragraph 2.2. of the Heritage Foundation Statement of Case. See Appendix A for the status of identified house features if the appeal is upheld.

3.2 Permission was given for a loft conversion with a warm roof on 28 South View in 2013. The work moved the gutters, fascias and soffits out by 12cm. This proposal will:

- Return the house to its original proportions restoring the “relationship of the roof with the house”.
- Reduce the depth of the soffits to match neighbouring properties.
- Replicate the tile creased gable corbels in a position where they are once again forward of the fascia. See figures below.
- Replicate the natural pebble dash finish
- Retain the projecting brick bands of the two chimneys below the setback cap, and the original pots.
- Retain the hipped margin tiled roof of the canted bay window.
- Retain the aluminium coated casement windows which were selected, at additional expense, to replicate the profile of the original timber windows.



Figure 1: Soffits and corbels at present



Figure 2: Soffits and corbels prior to loft conversion. The proposal will recreate this appearance

4. The guidance and processing of applications for External Wall Insulation are “Unreasonable”

- 4.1 The Heritage Foundation Statement of Case re-enforces the perception that they never had any intention of engaging with the proposal to explore if there was an acceptable external wall insulation solution.

Actions that are of concern are:

- a) The comment in the Heritage Foundation summary of their Statement of Case suggesting that giving permission to this application would lead to other Houses of Special Interest and Heritage Area properties making similar applications. Each home is individual and should be considered on its own merit. The Heritage Foundation stated at a public meeting in November 2024 that houses on Campers Avenue had been externally insulated, if this is the case, the precedent already exists that Heritage Character Area properties can be externally insulated.
- b) Unsubstantiated, emotive language used to describe the application, the meeting with the AMC and the applicants, found throughout the Heritage Foundation Statement of Case. The appellants drawings and specification were produced following an inspection of the property by a representative of a company that specialises in external wall insulation. The company was able to provide a specification and quote but were clear at the time that they did not have the time or capacity to engage with Letchworth’s complex and time consuming planning processes.
- c) Repeated referrals to omissions in the application, but no acknowledgement that the Heritage Advisory Service has been unable to specify which drawings or information they consider to have been omitted. The omission this application has highlighted is in the Heritage Advisory Service application process, which contained no information on the paperwork which is expected to be submitted for an external wall insulation application.
- d) Planning permission involves agreeing the specification that is to be delivered, not the method of delivery. However, a number of suggestions unrelated to appearance, which should be in the remit of building control and project delivery, were made during the planning application process. These are matters where the construction experts need freedom to follow best practice in order to provide their usual 25 year warranty.
- e) A failure to meaningfully engage with the proposal, evidenced by the fact that despite requests to the Heritage Advisory Service and the AMC the applicants have never been provided with information on the features that were considered to have been satisfactorily replicated and those which had not.
- f) Misleading content in the Heritage Foundation Statement of Case, for example, claiming that the proposal does not plan to replicate the gable corbels when it clearly does. Appendix B provides context and corrections on statements made in the Heritage Foundation Statement of Case.
- g) Identifying this application as being about a desire for “more sustainable living” but failing to recognise that the application is motivated by an urgent need to protect the occupants and the building fabric from mould as well as a need to reduce the high energy costs and

improve the overall comfort of the property.

- 4.2 The appellants are aware that the two largest social housing providers in Letchworth (Settle and First Garden City Homes) have tried to get external wall insulation proposals through the Heritage Foundation planning process but have been thwarted. Long running discussions eventually led to demands for levels of replication outside of what was deliverable by the external wall insulation industry.
- 4.3 In February 2022, Bob Hopkins, gave a talk on a First Garden City Homes project he was leading which would deliver external wall insulation to Letchworth's Heritage Area social housing stock. Social rental providers at that time knew that unless they could improve the EPC of their solid walled houses to C (they are typically band D to F), they would be unable to rent them. The deadline for achieving an EPC of at least C has now extended to 2030, but this does not detract from the fact a way forward on external wall insulation is needed in Letchworth. Initially, this First Garden City Homes project gave the local community hope that the Heritage Foundation might update its Design Principles. However, planning searches provide no evidence yet of this project leading to any external wall insulation approvals.
- 4.4 If the Heritage Foundation are permitted to keep obstructing progress on external wall insulation, rental housing providers will probably have no choice but to "dump" all their solid wall properties onto the market. It has been noticeable that the Heritage Foundation has been selling off solid walled rental properties. Selling off housing stock does not address the issue that the Design Principles and sustainability policies (both local and national) are now divergent to the extent that the Design Principles relating to external wall insulation would fail any test of reasonableness in today's world.

5. Summary

- 5.1 28 South View is a detached house with a relatively simple external facade, making it an ideal candidate for external wall insulation. The external wall insulation proposed for 28 South View is well-considered, will restore the proportions of the original house following the roof being raised for a loft conversion, replicates all the features listed in the justification of the house being one of local merit, and will retain the character of houses in the conservation area.
- 5.2 The Inspector's role is to test whether the Foundation has been reasonable in refusing alterations to appearance while taking into account the applicants' circumstances.
- 5.3 The Foundation has
 - exaggerated the risk of harm to the heritage value of this group of generally much-modified properties, and also exaggerated the risk of harm to the whole Heritage Area.
 - got unduly involved in building fabric analysis and design, even though the Scheme of Management does not give them the authority to direct the retention of original (failing) building fabric as if the home was a Listed Building.
 - lost sight of the primary purpose of housing.
- 5.4 This is not an ambitious extension scheme, it is a conservation project which seeks to preserve the utility of the building into the future.

- 5.5 The Foundation has attempted to criticise the applicants as if they are not competent, disregarded the involvement of a specialist contractor, and has avoided being specific about its objections and requests.
- 5.6 Accordingly this proposal, with support from an external wall insulation specialist, strengthens all three pillars of sustainability for the long term viability of this home: social, economic and environmental, all of which align with section 13.9 of RIBAs code of practice.
- 5.7 The health risks of extensive mould growth, energy cost implications and risks to viability for preserving this home in an unimproved state are special circumstances the Independent Inspector should consider, applying a test of reasonableness to the decision, rather than following the precise wording of the Design Principles, which are subjective changeable guidance, not absolute, and not specified anywhere in the Scheme of Management.
- 5.8 It is therefore respectfully requested that this appeal is upheld.

Appendix A: Status of House Features Identified in the HF Statement of Case if the Appeal is Upheld

A1 Features identified in relation to being designated a Building of Local Merit were identified in Paragraph 2.2 of the Heritage Foundation Statement of Case. The status of these following the proposed works is shown below, along with three additional features identified by the Heritage Foundation in Paragraph 5.3.

Feature	Source Para.	Addressed in Proposal
Gable projecting from hipped roof block.	2.2	Retained
Natural pebble dash finish.	2.2	Replicated
<i>Original timber small paned casement windows.</i>	2.2	<i>Replaced with UPVC coated aluminium after consent given in 2009</i>
<i>The hipped margin tiled roof of the canted bay window.</i>	2.2	<i>Retained</i>
<i>The recessed porch under a broad segmental arch.</i>	2.2	<i>Consent to infill and replace with tiled canopy given in 2024.</i>
<i>The tile-creased corbels at eaves level on the feature gable.</i>	2.2, 5.3	<i>Replicating appearance prior to loft conversion (figures 1 and 2)</i>
<i>Clay plain tiled roof form, with ridge tiles on its hips.</i>	2.2	<i>Retained</i>
<i>Well detailed chimneys, with projecting brick bands below the setback cap and a variety of original pots.</i>	2.2	<i>Retained</i>
Chimney corbelling to the stack.	5.3	<i>Retained above roofline</i>
Drip mouldings over windows.	5.3	<i>Lost on 1 front and 5 ground floor side and rear windows. Not present on remaining 5 windows</i>
Detailing to the door and window openings and around the Bay Window	5.3	Retained (by extending)

A2 It is of note that features identified by the Heritage Advisory Service go beyond those listed in Paragraph 2.2. These additional features descriptions lack clarity, for example, what is the detailing in “detailing to the door and window openings”.

Appendix B: Inaccuracies / Points of Clarification on content in the Heritage Foundation Statement of Case (Heritage Foundation Statement of Case extracts are shown in black and the appellants response is shown in blue).

2.3 The property has been the subject of the most recent applications:

Nature of Works	Outcome
Single storey side extension plus detached single garage	Approved June 2009
Replacement windows and rear door	Approved September 2009
Loft conversion with dormer window to rear plus replacement roof	Approved November 2013
PV panels to garage roof	Approved June 2021
Porch to front elevation	Approved June 2024

Appellants Response: In 2009 the detached single garage was approved but the single storey side extension was not approved.

2.4 A Certificate of Proposed Lawful Use or Development ref 24/02603/LDCP was refused in January 2025 for: Infill existing covered porch area. Erection of front porch canopy and installation of external insulation and re-render as existing.

Appellants Response: The lawful Development Certificate application process identified that infilling of the porch was permitted development but external wall insulation involving re-rendering requires a planning permission application in a conservation area. This application provides no information pertaining to this appeal, it simply indicates that in addition to obtaining Heritage Foundation permission, the appellants need to also apply for planning permission.

2.5 Location plan and Photographs are available in Appendix A. Supporting documents referenced in the report are included in the supporting documents folder.

Appellants Response: Given the Heritage Foundation Statement of Case report contains inaccuracies a request is made that any information from this supporting folder that is seen as relevant to determining this appeal is shared and validated with the appellants.

3.2 The information provided for the external cladding was a computer-generated plan and specifications prepared by the owner. There were many omissions on these specifications, and we advised the owner in an e-mail on 17th April that further information would be required. A second version of the proposals was submitted on 22nd April 2024.

3.3 Following team discussions, on 3rd May 2024 the Case Officer reached out to request further information and advised that it may be beneficial to have a survey carried out and a scheme proposal drawn up by a professional from the industry.

5.1 The information provided for the external cladding was a computer-generated plan and specifications prepared by the owner. There were many omissions on these specifications, and we advised the owner in an e-mail on 3rd May 2024 requesting further information to aid with

our consideration of the application as well as suggesting that it may be beneficial to have a survey carried out and a scheme proposal drawn up by a professional from the industry.

Appellants Response: The Heritage Advisory Service (HAS) provides home owners with guidance on the information required for most alterations but no guidance existed for external wall insulation. The initial application covered both porch alterations and external wall insulation and included the information requested for extensions and that for re-rendering. The appellants consider it unreasonable for the Heritage Foundation to claim an application has omissions when it provides no guidance on what should be included in an application, nor has it been able to clearly state what details are considered to be omitted during the review process. It should be noted that:

- the information pack provided with the application aligns with information provided to local authorities to make decisions on external wall insulation planning applications.
- When questions posed by the Heritage Foundation were shared with the potential installation company they identified that the information being sought went beyond what had been provided for a previous successful application in Letchworth.

- 3.7 The homeowner sought a review by the AMC on 4th September 2024. The AMC unanimously upheld the decision of HAS and it was refused at the Householders Application Committee on 18th October 2024.

Appellants Response: The architect members of the AMC introduced themselves and made clear they did not practice in Letchworth. The other two members of AMC were not able to provide the assurance that their recruitment was compliant with the Scheme of Management.

- 5.2 The applicant was also of the view that architectural detailing such as drip moulds, corbelling etc were unnecessary and as such this raised concerns over how well the proposals would respect and replicate the original appearance of the property.

Appellants Response: This is an inaccurate statement of the appellants position.

- Gable corbels was one of the two features identified by the Heritage Advisory Service team member at the pre-application visit. The application has always contained a commitment to replicate the gable corbels.
- Consideration was given to replicating the drip moulds (of which only one is visible from the street scene), but drip moulds are there to provide a function that is unnecessary when windows have a slight recess and so it can be argued the house would conform better to garden city character if the drip moulds were removed. Drip moulds are not a feature that is mentioned in paragraph 2.2 of the Heritage Foundation Statement of Case.

- 5.4 Whilst trying to negotiate the scheme, the applicants objected to the requests for more detailing and as such the application was considered on its merits and it was felt that the proposals did not override the central Design Principle that external wall cladding is not acceptable on Homes of Special Interest.

Appellants Response: When requesting the Heritage Advisory Service move to a decision on the initial application the applicants had to take a view on whether the ongoing email exchanges were a constructive exercise towards reaching agreement on an acceptable project proposal or ‘filibustering’ to get the application withdrawn. When the email of the 9th May generated yet more questions whilst not providing the requested clarification sought on

questions raised on the 3rd May, along with a request to withdraw the application, the applicants came to the regrettable conclusion that the application was being filibustered and sought to address this by raising their concerns with the responsible Director. The letter contained the following request:

“If there is any aspect of the application relating to **external appearance** where information on our proposal is incomplete then please can your officers identify the particular information required. Otherwise we would expect the Heritage Foundation to proceed to make a decision on the submitted application.”

No further information was sought and the Heritage Foundation decided to move to a decision. This indicates that the Heritage Foundation were unwilling or unable to identify any omissions in the application relating to external appearance when the initial decision was taken.

- 6.3 The Committee felt that this proposal has highlighted the requirement to progress our advice on sustainable products.

Appellants Response: It is not clear what is meant by “sustainable products”. The appellants are aware that the Heritage Foundation are interested in whole house retrofit, and whilst this may be relevant for renovating the organisations rented properties it is not reasonable:

- to demand a whole house retrofit solution when freehold owners make an application for a particular sustainability improvement to their property.
- to stipulate products where there are no “standards of appearance” or quality of build implications associated with the choice of product. For external wall insulation it is important that homeowners are allowed to follow their suppliers advice in order to get a long-term warranty on the work.
- to push back on a particular application by suggesting a HERO survey is undertaken to find an alternative “project”.

It is of note that whilst making suggestions on **unseen** insulation materials no feedback has been made on the dash render or Marley creasing tiles.

- 6.2 The Committee advised the homeowner on site that more detailed drawings would be required, due to the importance of the property and the group value of the four properties.

Appellants Response: The AMC like the Heritage Advisory Service did not provide any clarity on what drawings were missing that were necessary in order to make a decision on appearance.

All requested drawings up to the email received on the 9th May were provided. An email on the 9th May requested “Sectional diagrams of where there may be cold bridging issues, around windows and doorways, junctions of roof and wall, below DPC etc.” Given external insulation places a “warm blanket” around a house and removes bridging this request seemed non-sensical, whilst cold bridging below DPC is inevitable, but is outside the Heritage Foundation remit of “standards of appearance”.

- 7.1 The Committee carried out a site visit to the property and met with the agent.

Appellants Response: The HAC met with the homeowners not an agent.

- 7.4 The AMC chairman reported to the Committee that they were of the view that the applicant had not considered the implications of the proposed cladding; or the loss of the property's original architectural features; and felt the proposal to be unacceptable, due to these reasons.

Appellants Response: The AMC did not engage in a detailed discussion with the homeowners on what had or had not been considered, so it seems inappropriate for the chairman to be expressing any opinion on what the applicants had considered.

- 8.1 The Heritage Foundation appreciate the desire of the homeowner to install insulation as part of a push towards more sustainable living but remain concerned about the impact that such a drastic and poorly thought-out scheme would have on this Home of Special Interest.

Appellants Response: The proposed scheme is not "poorly" thought-out or "drastic". The scheme will bring the house back in proportion, cover patched render whilst the linked, but approved, tiled front entrance canopy will bring additional character to the current simple front exterior.

- 8.2 Overall, it is our view that the application represents a clear breach of the Design Principles, which have been carefully formulated to avoid this type of alteration. The application fails to preserve the character and appearance of the existing property and the Heritage Character Area.

Appellants Response: The Design Principles have been formulated, but they are not fixed, they have been changed three times since 2000. There is no evidence that a robust consultation has tested whether the Design Principles would meet the "reasonable" test enshrined in the Scheme of Management.

The Scheme of Management requires "standards of appearance" are maintained. The Design Principles:

- overreach the Scheme of Management when they require that the "character and appearance" are preserved, as is the case for this external wall insulation proposal.
- are contradictory, allowing sizeable extensions without requiring retainment or replication of every feature, yet demanding full retention and replication for external wall insulation (a minimal extension).
- are out of date with the direction of national policy in terms of external wall insulation.
- contradict the LGCHF's own sustainability policy which includes a commitment "*To support homeowners and housing association partners in their endeavours to make homes more efficient, whilst preserving their heritage value and character in line with the provisions of the Scheme of Management.*"

External wall insulation would not adversely affect the "town and country ethos" of this street of generally similar houses and gardens, as the Foundation tries to suggest, but instead it helps to ensure conservation of this currently unhealthy and uncomfortable building.