



**Planning Inspectorate**  
**Department of the Environment**

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PLANNING DEPARTMENT DACORUM BOROUGH COUNCIL						GTN 1374
Messrs Cannon, Morgan and Rheinberg Partnership 38 Holywell Hill ST ALBANS Herts AL1 1BU					Ack.	Your reference
Q.P.O.	T.O.P.M.	D.P.	D.C.	B.C.	Admin.	File DPGM/MJJ/1288/2 Our reference
Received 23 MAY 1990					T/APP/A1910/A/89/138763/P8 Date E/89/805268/P8	
Comments					22 MAY 90	

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULES 9 AND 11  
 APPEAL BY KEVIN REYNOLDS ESQ  
 APPLICATION NOS: 4/0061/89 AND 4/0062/89/LB

1. As you know I have been appointed to determine your client's appeals. These appeals are against the decisions of the Dacorum Borough Council to refuse
  1. planning permission and 2. listed building consent for a 2-storey side extension and conversion to form 3 flats at 1 Roughdown Villas, Roughdown Villas Road, Hemel Hempstead. I have considered all the representations made by you, by the Council and also those by interested persons. Also, I have considered those representations made directly by other interested persons to the Council, copies of which have been forwarded to me. I inspected the site on Tuesday 1 May 1990.
2. From what I have seen and read, I have concluded that the principal issues in this case are:-
  1. whether the proposed extension would be unacceptably detrimental to both the appeal building itself and to the other dwelling of the pair, of the Grade II listed semi-detached dwellings; and
  2. whether the proposal would detract from the setting of the listed building.
3. I have had regard to the advice contained in Circular 8/87 concerning listed buildings and the importance of their settings.
4. Although altered and extended in places, the 4 pairs of semi-detached houses are of architectural merit and historic interest and their front elevations blend harmoniously together. For the most part these alterations and extensions are not apparent from the road. In my view this pattern of development should be maintained, in the interests of the unity of the 4 pairs of houses.
5. Notwithstanding that the proposed extension is not large in relation to the house and that by being set back it would be visually subservient to the main mass of the pair nevertheless, in my opinion, it would make one house of the pair unbalanced due to the change in shape of the main widths and would break the original symmetry of their main facade, to the great loss of the character of this pair of listed buildings.
6. To my mind the proposal has not had proper regard to the appearance of both houses of the pair of listed buildings when their combined front elevations are seen

together and are physically closely related. The scheme rather divorces the 2 houses by widening the building and it seems to me that this would be accentuated by the lower parapet of the staircase to flat 3. My view is that inevitably this pair of houses would stand out as having a disjointed and unbalanced appearance, in contrast to the harmonious and restful appearance they possess at the present time. For these reasons I find that the appeal proposal would prove detrimental to the appeal building and also to the other property of the pair and therefore to their special architectural character and historic interest.

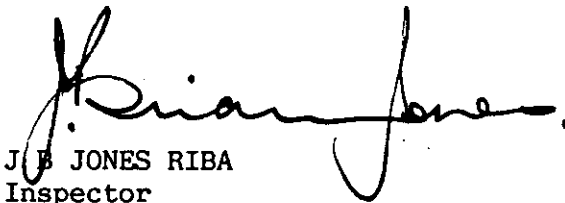
7. I observed, during my site inspection, that several of the semi-detached listed buildings have formed a car parking space in their front gardens, close to the road amongst the trees. These small parking areas tended to be inconspicuous and had little adverse impact on the appearance of the area. The appeal scheme indicates parking spaces and turning area for 6 cars in the front garden of the listed building. It seems to me that the improvement of the existing drive and the construction of the car parking area would inevitably remove much of the landscaping and foliage of the front garden. The trees along the road frontage contribute to the setting of the listed buildings and convey an impression of a countryside setting. They also create a sense of space between the road and the semi-detached dwellings.

8. In my view the introduction of the relatively large parking area and the associated activity would materially detract from and jeopardize the character and appearance of this garden area and thus seriously damage the setting of the listed buildings.

9. I have considered all the other matters raised in the written representations, including the proposed route of the A41 trunk road, but find nothing compelling enough to alter my conclusions.

10. For the above reasons and in exercise of the powers transferred to me, I hereby dismiss these appeals.

I am Gentlemen  
Your obedient Servant



J. B. JONES RIBA  
Inspector

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

LA



DACORUM BOROUGH COUNCIL

To K Reynolds
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Hemel Hempstead

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38 Holywell Hill
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..Two storey side extension and conversion.....
to form 3 flats.....
at 1 Roughdown Villas, Roughdown Villas Road, Hemel.....
Hempstead.....

Brief description and location of proposed development.

In pursuance of their powers under the above-mentioned Acts and the Orders and Regulations for the time being in force thereunder, the Council hereby refuse the development proposed by you in your application dated 6.1.89 and received with sufficient particulars on 10.1.89 and shown on the plan(s) accompanying such application.

The reasons for the Council's decision to refuse permission for the development are:-

- 1. The design of the proposed side extension would have a seriously detrimental effect on the character of the property itself and the overall appearance of the group of Grade II listed buildings of which this property forms a part.
2. The use of the front garden for the laying out of a car parking area will have a seriously detrimental effect on the setting of the listed building.

Dated 8th day of June 1989

Signed [Signature]

Chief Planning Officer

#### NOTE

1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment, in accordance with s.36 of the Town and Country Planning Act 1971, within six months of receipt of this notice. (Appeals must be made on a form obtainable from the Secretary of State for the Environment, Tollgate House, Houlton Street, Bristol, BS2 9DJ). The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order.
2. If permission to develop land is refused, or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Borough Council in which the land is situated, a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part IX of the Town and Country Planning Act 1971.
3. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in s.169 of the Town and Country Planning Act 1971.