



**Department of the Environment and
Department of Transport**

Common Services

Room 1417 Tollgate House, Houlton Street, Bristol BS2 9DJ

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DACORUM DISTRICT COUNCIL

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CHIEF EXECUTIVE
OFFICER

4 FEB 1988

File

23695

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Ref.				Switchboard 0272-218811	
C.P.O.	D.P.	D.C.	B.C.	Admin.	GTN 207
Your reference				- 4 FEB 1988	
Received				Our reference	
Comments				T/APP/A1910/A/87/72912/P4	
Date				E/87/802461/P4	
				3 FEB 88	

Mr J G Lewis
117 Chambersbury Lane
HEMEL HEMPSTEAD
Herts
HP3 8BE

Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULES 9 AND 11
APPEALS BY MR AND MRS WELCH
APPLICATION NO: 4/0143/87 AND 4/0305/87 LB

- I have been appointed by the Secretary of State for the Environment to determine your clients' appeals. These appeals are against the decisions of the Dacorum Borough Council to refuse planning permission and listed building consent for a 2-storey rear extension at the Old Red Lion, 84 Waterside, Kings Langley. I have considered the written representations made by you and by the council and also those made by the parish council. I inspected the site on 2 December 1987.
- The Old Red Lion is a grade II listed building with a substantial modern addition on its east side. While this extension obscures much of the rear elevation of the original building there is still some external timber framing visible on the unaffected portion of the rear elevation.
- From my inspection of the site and its surroundings and from the representations received I consider that this appeal turns on whether or not the proposed development would harm the character of the listed building.
- You draw attention to the modern extension and you claim that the proposed development is designed to complement both the old building and the modern addition. You contend that the proposed extension would not serve to obscure entirely the original shape of the listed building and you point out that the exposed timber frame would be visible inside the extended house.
- The council argue that the proposed windows of the extension pay no regard to the character of the listed building and the county council's conservation officer takes the view that the extension would both obscure and dominate the original house.
- There is no doubt in my mind that the continuation of the existing and proposed extensions would mean that the rear of the house would be completely dominated by modern structures. Thus the remaining section of timber framing would be obscured and the original character of the rear elevation of this historic building would be lost in terms of its external appearance.
- I therefore consider that the development would seriously harm the character of the listed building and on this ground I find your clients' proposal to be unacceptable. I have considered all other matters raised but these do not outweigh the considerations which have led me to my conclusion.

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

I am Sir
Your obedient Servant

Terence Povey

T N POVEY BA BArch MA FRTPI RIBA MBIM
Inspector

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972



DACORUM BOROUGH COUNCIL

To Mr and Mrs Welch
The Old Red Lion
84 Waterside
Kings Langley

Mr J G Lewis
117 Chambersbury Lane
Hemel Hempstead

.....Two storey rear extension.....
.....
at ..The Old Red Lion, 84 Waterside, Kings Langley.....
.....

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 29 January 1987..... and received with sufficient particulars on 2 February 1987..... 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 fenestration of the proposed rear elevation is unsuitable and out of character with the Listed Building.
- (2) The submitted plans are of insufficient detail to allow the assessment of the proposal in relation to the existing building.

Dated 30th day of April 19 87..

Signed *Wim Bamford*

SEE NOTES OVERLEAF

P/D. 15

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.