

MR

DC.12

TOWN AND COUNTRY PLANNING ACT 1971  
BUILDINGS OF SPECIAL ARCHITECTURAL  
OR HISTORIC INTEREST

Town Planning 4/0270/90LB  
Ref No .....  
Other Ref No .....

THE BOROUGH COUNCIL OF DACORUM IN THE COUNTY OF HERTFORD

To: Mr G Doolan  
38 High Street  
Kings Langley  
Herts

Colin Eades Partnership  
Architects  
83 Tilehouse Street  
Hitchin  
Herts SG5 2DY

.....	Demolition of outbuildings & erection
.....	of office building
at .....	38 High Street, Kings Langley
.....	

Description and  
location of  
proposed works

In pursuance of their powers under the above-mentioned Act and the Orders and Regulations for the time being in force thereunder the Council hereby refuse the grant of Listed Building Consent to the works described above and proposed by you in your application dated ..... 15.2.90 ..... and received with sufficient particulars on ..... 21.2.90 ..... and shown on the plan(s) accompanying such application.

The reasons for the Council's decision to refuse Listed Building Consent for the works proposed are:

1. The scale of the two and three storey elements of the scheme is excessive and out of character with other developments in this part of the High Street, and would have an adverse effect on the listed building and the Kings Langley Conservation Area.
2. The total loss of the existing garden would adversely affect the setting of the listed building.

Dated ... Twenty-Sixth ... day of ... April ... 1990..

Signed

CHIEF PLANNING OFFICER

## NOTES

1. If the applicant is aggrieved by the decision of the local planning authority to refuse Listed Building Consent for the proposed works, or to grant consent subject to conditions, he may, by notice served within six months of receipt of this Notice, appeal to the Secretary of State for the Environment in accordance with paragraph eight of Schedule 11 to the Town and Country Planning Act 1971. Appeals must be made on a form which is obtainable from the Department of 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.
2. If Listed Building Consent is refused, or granted subject to conditions, whether by the local planning authority or by the Secretary of State 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 works which have been or would be permitted, he may serve on the Council of the district in which the land is situated, a Listed Building Purchase Notice requiring that Council to purchase his interest in the land in accordance with the provisions of s.190 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.171 of the Town and Country Planning Act 1971.



Planning Inspectorate  
Department of the Environment

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3) D + G8  
3) C + P1  
3) File D/1112/VR/P

Messrs Colin Eades Partnership  
83 Tilehouse Street  
HITCHIN  
Hertfordshire  
SG5 2DY

Your reference

89/17/CE/SU

Our reference

1/APP/A1910/A/90/160654/P8  
Date E/90/806408/P8

11 JUL 91

Gentlemen

Received

12 JUL 91

Comments

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6 AND  
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990  
SECTION 20 AND SCHEDULE 3  
APPEALS BY MR G DOOLAN  
APPLICATION NOS: 4/0269/90 AND 4/0270/90 LB

1. I have been appointed by the Secretary of State for the Environment to determine your client's appeals. These appeals are against the decisions of the Dacorum Borough Council 1. to refuse planning permission for the demolition of single storey outbuildings and the erection of new office accommodation within the curtilage of a listed building and 2. to refuse listed building consent for the same proposal at 38 High Street, Kings Langley, Hertfordshire. I have considered the written representations made by you and by the Council and also those made by the Parish Council and interested persons. I have also considered those representations made directly by interested persons to the Council and forwarded to me. I inspected the site on 26 June 1991.

2. From what I have seen and read I consider the main issue for both appeals is the impact the proposal would have on the setting of the listed building and the character of this part of the conservation area.

3. I have noted that a broadly similar scheme has recently been the subject of an appeal and I have seen a copy of the inspector's decision letter. I also accept that the scheme before me is that shown on drawing No 89/17/10 dated January 1991 as an overlay sketch showing the further reduced height of the building by about 1.5 m from that originally proposed.

4. The listed building the subject of these appeals is 2 storey in height with attic rooms. The other buildings in the immediate vicinity are also 2 storey and generally line the frontage of High Street. The L shaped appeal site rises from the High Street so that from the public car park along the rear boundary of the site both the appeal building and its neighbours present a low profile and create a feeling of openness along the rear areas. The lean-to extensions at the rear of the building have little merit in my view and with proper restoration of the exposed wall, the loss of the extensions would enhance the character of the listed building. The proposed office building would be set a short distance apart from the rear of the listed building in a cottage style with dormer windows and stained weather boarding to match that on part of the listed building. The ridge of this part would be the same height as the listed building and although the access drive is only about 3 m wide I do not consider this building would crowd or dominate the listed building and its small scale detailing would ensure that it would be generally subservient to the listed building.

5. However, the remainder of the proposed office building is 3 storeys with a single storey portion at the south west corner. The higher portion has I understand been reduced by 0.5 m from the revised scheme put before the previous inspector who observed without the benefit of the further reduction before him that this may overcome his objections to the height, size, bulk and configuration of the scheme before him. I do not consider the proposal before me overcomes these objections. The building would still be 3 storeys high with fairly large dormer windows with a ridge height above that of the listed building. To achieve this the floor level has been reduced to below the prevailing ground level. Moreover, the length of the office building, excluding the single storey portion, is considerably greater than the existing listed building and in the light of my observations about the low profile and openness present when seen from the car park it seems to me that the proposal would be a significant intrusion into the area at the rear of the frontage buildings. Furthermore, I have already remarked on the narrow width of the access drive and while the fairly short length of 2 storey building proposed would not unduly emphasise its constrained nature I am far from convinced that even if only 2 storeys for the full length of the proposed offices were proposed it would not create an overbearing and dominant effect on the listed building as well as intrude into the open area already mentioned. While your premise that the increased height of the building at the rear reflects the rising ground level has some logic it seems me to ignore the fact that the proposal is some distance behind the frontage buildings and would therefore be an intrusion in height and extent into the rear areas. Consequently I take the view that the proposal would have an adverse impact on the setting of the listed building and would be detrimental to the open character of this part of the conservation area with the result that it would neither preserve nor enhance it.

6. I have noted that since the last appeal the application has been reduced in area and the studio unit omitted from the scheme. Nevertheless, the proposal would still conflict with policy 53 of the Dacorum District Plan which states that normally new offices will be restricted to the commercial areas of Hemel Hempstead, Berkhamstead and Tring. However the emerging Dacorum Borough Local Plan seems to me more relaxed for small business development and in Policy 34 Kings Langley is identified as a Local Centre where a broad range of uses is encouraged provided it is of a scale compatible with the size and function of the centre and its historic or architectural character. I have already dealt with the latter considerations and the inspector for the previous appeal faced with broadly the same application and the same policy matters concluded that the case justified an exception to the strict application of the current approved development plan policies and as a result found no land use objection to the proposal. I can see no reason why I should come to a different conclusion.

7. The other Reason for Refusal of the planning application concerns the use of the access for vehicular traffic. The County Surveyor has no objections but the Department of Transport considers that the much increased use of the currently little used access would be detrimental to traffic safety on the High Street. I accept that the access has not the appearance of much use despite the presence of a dropped kerb and that parking along the road edge is prevalent. However, at my inspection the footway is quite wide and rises up to the building edge from the road channel so that the distance back from the road edge is more than adequate and also due to its elevation offers the possibility of looking over the top of low vehicles parked at the kerb. Furthermore, the High Street has several narrow entrances along its frontage leading to rear parking space, as I observed at my visit, so that a degree of pedestrian/vehicle conflict is the pattern for the area and consequently I do not consider the proposed limited use of the access would unacceptably be detrimental to highway safety.

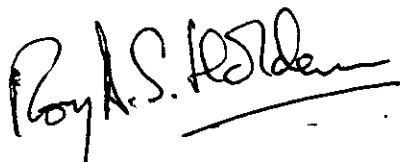
8. The 3rd Reason for Refusal of the planning application asserts that the amount of new building would be out of scale and appearance with the established character of this part of the village. I consider this is closely allied to the issues concerning the setting of the listed building and the character of the conservation area which I have dealt with in the early part of this letter.

9. The loss of the garden to car parking is also a concern of the local planning authority regarding the setting of the listed building. The garden is in the south west portion of the L shaped site and largely divorced from the frontage listed building. It is fairly secluded by the existence of boundary walls and its value in my view is its contribution to the open nature of the rear areas. Its use for car parking together with appropriate planting would not markedly reduce the open nature of the garden and consequently I do not consider this aspect of the proposal would have a detrimental effect on the setting of the listed building.

10. I have taken careful account of all the other matters raised in the representations including your discussions with officers of the local planning authority and local building preservation trusts and your reference to other approvals for office development involving listed buildings in Kings Langley but neither these, nor all the other matters raised outweigh in my view the considerations that have led to my decision.

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

I am Gentlemen  
Your obedient Servant

A handwritten signature in dark ink, appearing to read 'Roy A S Holden', with a horizontal line drawn underneath it.

ROY A S HOLDEN DipArch RIBA  
Inspector