

CEG



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24 SEP 1986

File Ref. ....

Ref. No. CPO 2419

Clearance 927

PLANNING DEPARTMENT  
DACORUM DISTRICT COUNCIL

GTN 2074

17933

Mr V J Elkington  
4 Chesham Road  
BERKHAMSTED  
Hertfordshire  
HP4 3AA

Ref.				Ack.		Your reference	
C.P.O.	D.P.	D.C.	B.C.	Admin.	File	BDR	
						Our reference	
Received				24 SEP 1986		T/APP/A1910/A/86/044784/P3	
Comments						Date	

22 SEP 86

JMB  
2/863/ADANE  
W/TEAMT

Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9  
APPEAL BY MR A RICKETT  
APPLICATION NO: 4/0710/85

1. I have been appointed by the Secretary of State for the Environment to determine your client's appeal against the decision of the Dacorum Borough Council to refuse planning permission for the erection of an extension at the rear of the existing dwelling at 39 High Street, Bovingdon, to form living and bedroom accommodation. I have considered the written representations made by you, by the Borough and Parish Councils, and also those made by interested persons. I inspected the site on 23 July 1986.
2. From my inspection of the site and surroundings and consideration of the representations, I am of the opinion that the main issue in this appeal is the effect of the proposed development on the character and appearance of the listed building.
3. The High Street at Bovingdon is not an intensively commercial street. However, it is the core of the village and does understandably contain many retail uses. These are interspersed amongst houses and it is this mixture which gives this part of Bovingdon its particular character. It is not a character of any great distinction but buildings such as the one the subject of this appeal without question contribute to what little character there is.
4. The appeal property is one of a pair of semi-detached cottages on the north-eastern side of the High Street. They are flanked by commercial uses and there are shops opposite, the cottages are rustic in appearance, having brick walls, a tiled roof and small windows. In fact, it could be argued that they are out of keeping in this location. Nonetheless, their worth has been recognised by the fact that they have been statutorily listed as being of architectural or historic importance.
5. Your client seeks to extend the property at the rear in the form of an inverted L-shape. The connecting section is single storey and contains a dining hall. The ground floor of the 2 storey section holds a living room and kitchen; above, a bedroom, dressing room and bathroom are proposed. The existing cottage is to house a study, sitting room with bedrooms above. The net result is to convert a small dwelling into something quite substantial: the floorspace of the cottage is some 90 sq m; that of the extension is 144 sq m.

6. In response to the council's refusal, you contend that the extension is satisfactory since it is the same height of the existing cottage. In design terms it would not be out of character with the adjoining property. You contend also that sufficient area of garden would remain and that, more importantly, views of the extension from the High Street would be restricted.

7. In terms of materials, fenestration and particular design details I find the scheme agreeable. I accept also that in relation to the size of the plot there are no problems in terms of accommodating the development. Be that as it may what concerns me is the sheer size of the extension compared to the cottage. Had the cottage and its neighbour not been listed, the scheme could well be acceptable. However, this pair of cottages is listed - and only recently at that. They have the air and appearance of simple, almost rustic dwellings set amongst a commercial area. They point to the early development of the village. To extend No 25 in such a manner, even though it is readily visible from the High Street, would transform it completely. Instead of the simple symmetry which presently exists, the extension would dominate the original house and its neighbour. As a general rule well-designed extensions and alterations to listed buildings can be acceptable in order to bring them up to present day standards. Your client's scheme, however, is unacceptable.

8. I have taken into account all other matters raised in the representations, including the question of parking and note that space could be provided on land in your client's ownership. I have also considered the effects of the extension on the amenities of the residents of the neighbouring cottage. However, because of the juxtaposition of the windows in this house next door in relation to the proposed extension, I cannot foresee problems in this respect. Nonetheless, such matters do not affect the planning considerations which have led to my decision.

9. For the above reasons, and in exercise of the powers transferred to me, I hereby dismiss your appeal.

I am Sir  
Your obedient Servant



TREVOR COOKSON DipTP MRTPI  
Inspector

## TOWN &amp; COUNTRY PLANNING ACTS, 1971 and 1972

## DACORUM BOROUGH COUNCIL

To Mr A Rickett  
Bobsleigh Inn  
Hempstead Road  
Bovingdon  
Herts

Mr V J Elkington  
4 Chesham Road  
Berkhamsted  
Herts

..... Two storey rear extension .....

at ... 39. High. Street, Bovingdon, Herts .....

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  
..... 10th June 1985 ..... and received with sufficient particulars on  
..... 12th June 1985 ..... 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 proposed development, by reason of its size and relationship with the existing cottage, is considered out of character with both the adjoining property and the locality in general.
- (2) The formation of a dwelling unit of the size proposed without the provision of car parking space for 2 cars is contrary to Policy 19 of the adopted Dacorum District Plan.

Dated ..... 8th ..... day of ..... August ..... 19 .. 85 ..

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.