



GOVERNMENT OFFICE
FOR EASTERN REGION

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1) ~~DM~~
2) ~~ADM~~
3) ~~EB~~
4) ~~File~~

The Chief Planning Officer
Dacorum Borough Council
Civic Centre
The Marlowes
HEMEL HEMPSTEAD
Herts HP1 1HH

Eastern Region Planning

Your ref: 4/0900/94CX/HH/SAH
Our ref: E1/M1900/4/3/03

7 March 1995

Dear Sir

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) REGULATIONS 1990
APPLICATION FOR CONSERVATION AREA CONSENT
PARTIAL DEMOLITION OF BOUNDARY WALL, THE SCHOOL HOUSE, NETTLEDEN
ROAD, LITTLE GADDESSEN, HERTFORDSHIRE

You will wish to know that the Secretary of State for the Environment has decided to refuse the above-mentioned application by Hertfordshire County Council. As promised in our letter of 9 February, I enclose a copy of the letter conveying the Secretary of State's decision.

Yours faithfully

C M FOREN

PLANNING DEPARTMENT DACORUM BOROUGH COUNCIL					
Ref.				Ack.	
Dep.				AMM	File
Received				- 9 MAR 1995	
Comments Report to DCC as if it were an agreed decision. HEM 14/2/95					



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The Director of Planning and Environment
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Hertfordshire County Council
County Hall
HERTFORD SG13 8DN

PLANNING DEPARTMENT						
DACORUM BOROUGH COUNCIL						
1	2	3	4	5	6	7
- 9 MAR 1995						
Comments						7 March 1995

Your ref: LMP/BJS 4/900-94
Our ref: E1/M1900/4/3/03

Dear Sir

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) REGULATIONS 1990
APPLICATION FOR CONSERVATION AREA CONSENT
PARTIAL DEMOLITION OF BOUNDARY WALL, THE SCHOOL HOUSE, NETTLEDEN ROAD, LITTLE GADDESSEN, HERTFORDSHIRE

1. I am directed by the Secretary of State for the Environment to refer to your letter dated 17 October 1994 enclosing an application made by the County Council's Director of Corporate Services on 22 June 1994 (reference number 4/900-94) for conservation area consent for partial demolition of a flint and brick boundary wall at The School House, Nettleden Road, Little Gaddesden, Hertfordshire, being an unlisted building within a conservation area. The application was made in accordance with the provisions of section 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and regulations 12 and 13 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990.

2. Having carefully considered the application and supporting evidence, including the representations made by Dacorum Borough Council, the Secretary of State gave his initial views in a letter dated 15 November 1994. He considered that for consent to be granted he would need to be satisfied that the proposal was acceptable in the context of the conservation area and, more particularly, was in accord with advice and policies which seek to preserve or enhance the character or appearance of such areas. He also required evidence, with particular reference to financial implications, of the attempts made by the County Council to dispose of The School House and their investigations of alternative means of vehicular access to that property. Accordingly, the Secretary of State invited your Council to make further representations either in writing or before a person appointed for the purpose. Dacorum Borough Council were also invited to make further representations.

3. Further representations were made in letters dated 17 January and 28 February 1995 from the County Council's Corporate Services Department and 7 February 1995 from Dacorum Borough Council. The Secretary of State notes that the County Council wish to dispose of

The School House as an exchange for a property which they wish to keep, but which the tenant has a right to buy. The tenant of the other property will only buy The School House if off-street parking is available; this would require partial demolition of the boundary wall and is, therefore, the reason for the application for conservation area consent. The Council cannot provide details of the marketing of the property because this has not been done. However, the Council hope that account can be taken of the ultimate purpose of the application which is to enable an important education facility, which adjoins the other property, to be properly supervised.

4. On the question of alternative access, the County Council reiterate the points already made: that an alternative access via the school is opposed by the head teacher for reasons of security and safety. The Council cannot demand the school to comply, because it is not in their ownership. Any other alternative would have to be via privately owned land and does not appear practicable. In any event, they say it cannot be funded by the Education Department.

5. The Secretary of State notes that Dacorum Borough Council, in making further representations, follow their original argument. The Council's Conservation Officer states that the County's further representations address the circumstances of why consent is sought, but not the planning and conservation issues. The proposal is expedient for the County and this appears to be the sole justification they put forward in favour of consent. The guidance in Planning Policy Guidance Note 15 (PPG15) should be adhered to; if the County Council had brought the site unencumbered to the market and were unable to dispose of it due primarily to lack of parking, then the Borough Council would look at what is proposed again, but no such evidence exists. For these reasons, the Borough Council uphold their earlier view that consent should be refused.

6. In reaching his decision the Secretary of State has given careful consideration to all the evidence, including the original and further representations of both Councils and his own letter of 15 November 1994. On the question of alternative access to The School House, the Secretary of State takes the view that on the available evidence the County Council have made reasonable attempts to identify alternatives but have shown that these would not be practicable. However, he also takes the view that such a conclusion must only lead to a grant of consent if it has been demonstrated that the proposed demolition would not breach policies and advice, particularly that in paragraphs 4.26 and 4.27 of PPG 15. Although the Secretary of State notes the County Council's reasons for wishing to dispose of The School House, he agrees with Dacorum Borough Council's view that the County Council have not offered any further justification in planning and conservation terms as a result of his reference back. He remarks that no evidence has been provided of attempts to dispose of the property in an alternative manner which would not necessitate the loss of part of the wall though he notes that this follows from the County Council's intention regarding the exchange of this property with the one adjoining the education studies centre. The further evidence provided about the reasons for the proposed exchange of the properties has not persuaded the Secretary of State to change his view on the application.

7. For the reasons given above, the Secretary of State hereby refuses to grant conservation area consent for the partial demolition of a flint and brick boundary wall at The School House, Nettleden Road, Little Gaddesden, Hertfordshire.

8. A copy of this letter has been sent to Dacorum Borough Council.

Yours faithfully,

A handwritten signature in dark ink, appearing to read 'J Parsons', with a stylized, cursive script.

J PARSONS

Head of Hertfordshire and Bedfordshire Planning Branch