

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972



DACORUM BOROUGH COUNCIL

To Midland Bank plc
Poultry
London
EC2P 2BX

Burton J Helling Ltd
r/o 126 Bury Park Road
Luton
Beds

Alterations to front elevation

at 21 High Street, Tring

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 1 September 1987 and received with sufficient particulars on 7 October 1987 and shown on the plan(s) accompanying such application..

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

The proposal, by virtue of the replacement of the wooden door with a glass and steel door; the introduction of a new fascia sign; the blue finishes to the windows and door and the lowering of the window cills would have a seriously detrimental effect on the character of the property itself and the overall street picture in a designated Conservation Area.

Dated Twenty-second day of January 19 88

Signed Wm B. Smith

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.

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

Common Services

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CHIEF EXECUTIVE
OFFICER

28 NOV 1988

Cleared

Burton J Helling Limited
R/O 126 Bury Park Road
LUTON
Bedfordshire
LU1 1HE

PLANNING DEPARTMENT DACORUM BOROUGH COUNCIL					
OPC	TOPN	DP	DR	DO	Ask
					Adm. File
Received		28 NOV 1988			
Comments					

Your reference

778

Our reference

T/APP/A1910/A/88/096188/P4 and
099282/P4

Date 24 NOV 88

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPEALS BY THE MIDLAND BANK PLC
APPLICATION NOS:- 4/1543/87 AND 4/0278/88

1. As you know I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeals. These appeals are against the decisions of the Dacorum District Council to refuse planning permission for A. lowering the front elevation sills to the existing curved head windows, resiting of a night safe fascia, introduction of new front doors and colour banding to glazing generally; B. lowering of front elevation sills to existing curved head windows and resiting of night safe fascia as a consequence of foregoing - both at The Midland Bank, 21 High Street, Tring, Herts. I have considered the written representations made by you and by the Council and also those made by interested persons including the town council and the Amenity Society for Tring and District. I inspected the site on Tuesday, 25 October 1988.

2. The practical application of advertisement control is intended to operate independently of the ordinary development control provisions in the Town and Country Planning Act 1971. Furthermore the Council have not considered the projecting sign for the reason that it would require a separate application under the Advertisement Regulations. I do not propose therefore to deal with the proposed illuminated sign under appeal A.

3. Section 22(2) (a) of the Town and Country Planning Act 1971 permits alterations to any building that do not materially affect the appearance of it. In this case they are substantial enough to have a material effect. From my inspection of the site and its surroundings and from the representations that have been made I consider that both appeals turn on whether or not the alterations are acceptable (a) in the context of the building itself and (b) in relation to their effect on the listed buildings on either side of the bank.

4. The commercial area of Tring centres around the High Street which runs roughly in an east-west direction. Business premises occupy roughly some 250 m of frontage on either side of the road. Properties are built close up to the back edge of the footpaths and are mainly 2 and 3-storeys in height. Shop fronts are of a somewhat prosaic design generally and exhibit a lack of coherence overall with regard to finishing materials and colours. The appeal premises, together with The National Westminster Bank next-door and the offices with a Georgian facade on the other side represent a discontinuity in the run of shop fronts along the south side of the High Street.

5. Though not listed the subject building has been designed as an entity in the classical style so that the proportions of the front elevation are in harmony. The 3 main elements of the facade have been picked out by the existing colour scheme.

Firstly the deep plinth which extends to about eye level and is contained by the window sills has been painted dark brown. Above this are tall windows, almost reaching the entablature, which are set in a stucco facade with simulated courses painted a cream colour. The main bank sign is displayed below the pediment which has a balustraded parapet on either side of it.

6. The lowering of the sills of the 2 round headed windows will reduce the depth of the plinth below each window by about a half. Since 2 other windows stand on the plinth the resultant irregular sill level would disturb the appearance of the strong horizontal character of the base of the building. In my opinion the disruption of this traditionally designed classical facade is unwarranted unless there are any compelling and overriding reasons for doing so.

7. In justification of the proposals you have advanced the need for a less formal facade better views into the building, and the fact that the banking hall is dark and gloomy. So far as the etched cobalt blue bands across the windows might be regarded as an informal element they would in my opinion severely mar the vertical emphasis of the round headed windows and at the same time introduce a strong horizontal demarcation across the principal section of the elevation where solids and voids are carefully balanced in the design. I do not accept that lowering the sills to the height of the average level of the stall board risers in the shops along the High Street would be justified on the grounds that better views should be afforded into the banking hall. The external hard wood doors stand open during business hours so their removal would not be likely to contribute to reducing the alleged dark and gloomy atmosphere inside the bank. No factual evidence has been submitted on this point but it appears to me that the existing area of window surface is adequate to receive sufficient day and sunlight. Some loss of light may be caused by the use of opaque material to obscure the lower portions of the windows. I am of the opinion therefore that no overriding reasons have been advanced for lowering the sills, replacing the existing street door and decorating the windows with coloured bands. I consider that all these measures would serve to affect the visual quality and character of the existing building to an unacceptable extent.

8. As to the second part of the issue; I have already referred in my site description to the fact that the appeal premises and the buildings on either side of them form a discontinuity in the street frontage - both visually and functionally. They do however form a strong architectural focal point in the High Street. The juxtaposition of the subject building with the Georgian period building on its west side represent a complete contrast in style. They only complement each other in respect of mass and the fact that they have formal and unaltered elevations. The detailed objection that I have to the alterations to the appeal premises are not in my opinion likely to affect the setting of No 23 (the Georgian building) if they were to be permitted.

9. The bank on the east side harmonises in style with your clients' premises but is of a substantially greater scale. Nevertheless it appears largely unaltered and since it is listed and forms an important visual element in the conservation area special regard must be had to preserving its setting - as required by Section 56(3) of the Town and Country Planning Act 1971. I consider that the alterations to the appeal premises would harm this setting by disrupting the harmony that exists between the 2 classical buildings. This would follow as a result of the integrity of the design of the existing facade of your clients' premises being damaged if permission were to be granted. Such a step could only be interpreted as a lack of concern not only for the appearance of the subject building itself but for the adjacent listed building.

Appeal B

10. To the extent that the colour bands on the windows and the glass door would be omitted the proposal is that much more acceptable. These modifications do not in my opinion overcome the strong objection that I have to the introduction of a jarring element into the design of the Midland Bank premises by lowering the window sills. Consequently my comments and conclusion on this aspect apply equally to this case.

11. I have taken into account all other matters raised in the representations but I find that they are insufficient to outweigh the considerations that have led to my decision.

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

I am Gentlemen
Your obedient Servant



P W RAWSON DipTP FRTPI
Inspector