



The Planning Inspectorate

An Executive Agency in the Department of the Environment and the Welsh Office

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Mr R J Cannon
The Royal Hotel
Station Road
TRING
Herts
HP23 5QR

Your Ref:

Our Ref:

T/APP/A1910/E/97/813419/P7

PLANNING DEPARTMENT
DACORUM BOROUGH COUNCIL

Date:

17 SEP 1997

D.P.

D.C.

B.C.

Ack.

Admin.

File

18 SEP 1997

Comments

Dear Sir

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990,
SECTION 20 AND SCHEDULE 3
APPLICATION NO: 4/1660/96

1. I have been appointed by the Secretary of State for the Environment to determine your appeal made under Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990, henceforth referred to as the Planning (LBCA) Act 1990, against the decision of the Dacorum Borough Council to grant listed building consent, subject to a condition, on an application to discharge Condition 4 pursuant to listed building consent 4/0979/96. The listed building consent 4/0979/96 is dated 26 September 1996 and is for the insertion of spring balance windows to F11 and G14, insertion of openable bottom hinged windows to B8 and B9 at The Royal Hotel, Station Road, Tring. I have considered the written representations made by you and by the Council. I inspected the site on 2 September 1997.

Condition in Dispute

2. The condition in dispute, Condition 4, states that a scheme of alternative glazing for window B9 shall be submitted to the local planning authority by 28 February 1997 and that the approved scheme shall be implemented by 30 April 1997. The reason for the condition is to ensure a satisfactory appearance.

Planning Background

3. The listed building consent granted under reference 4/0979/96 followed from an application made to the Council for windows of a type different from those described in listed building enforcement notices issued by the Council and subsequently upheld on appeal to the Secretary of State, but in modified form. Condition 4 attached to that consent required drawn details of windows B8 and B9 to be submitted to and approved by the local planning authority. The condition appealed against is an agreed variation of the former Condition 4 and is concerned only with the glazing of window B9.



Status of the Appeal Building

4. You set out in some detail and with reference to Section 1 of the Planning (LBCA) Act 1990 your views concerning the status of The Royal Hotel and of other buildings nearby. I have noted the views you have expressed and the Council's response to them. It is, however, material to a determination of this appeal that it arises from a listed building consent granted by the Council in respect of the appeal building on 30 April 1987. The consent sought and granted at that time under reference 4/0372/87 related to the construction of the extension of which window now B9 forms part. Documentary evidence provided by the Council confirms to my satisfaction that The Royal Hotel was added to the statutory list of buildings of special architectural or historic interest in February 1982 and included in Grade II. An amended list description issued by the Secretary of State for National Heritage in April 1994 clarifies the extent of the listing but does not exclude any part of the building in use, for the time being, as part of The Royal Hotel.

5. The extension constructed in the late 1980s with the benefit of planning permission and listed building consent forms an integral part of the hotel. Planning Policy Guidance note 15 (PPG15), issued jointly by the then Secretaries of State for the Environment and for National Heritage, offers guidance on the purpose of list descriptions and on the extent of protection conferred by listing. I find nothing in PPG15 guidance or in representations made in connection with your appeal to convince me that the extension which incorporates window B9 is not part of the listed building or that it is not subject to statutory provisions regarding the authorisation of works to listed buildings.

6. The works to which the appeal relates, namely the insertion of Georgian wired glass in each of six panes of window B9, have already been carried out. I therefore propose to determine your appeal on the basis that you are seeking authorisation of works already undertaken, as provided for by Section 8(3) of the Planning (LBCA) Act 1990.

Main Issue

7. From the representations made and from my inspection of the appeal building and its surroundings, I consider the main issue in this case to be whether the type of glazing installed in window B9 preserves the special architectural or historic interest of the listed building.

Planning Policies

8. The relevant development plan for the area comprises the Hertfordshire County Structure Plan Review and the Dacorum Borough Local Plan. The Structure Plan incorporates Approved Alterations 1991 that became operative in July 1992. The Local Plan was adopted in April 1995. Structure Plan Policy 56 expresses support for the protection of listed buildings and their settings. The explanatory text to the policy sets out some of the ways in which support will be given. The policy is largely concerned with the means by which listed buildings will be protected rather than matters of detail. To that extent, it has limited relevance to the subject of this appeal. I find, however, no conflict between its purpose and national planning guidance set out in PPG15.

9. Local Plan Policy 8 sets out criteria for securing development of good quality. It requires, among other things, that development shall be of appropriate design and that it shall

not adversely affect important historical or architectural features. The policy is concerned more with the impact of development on the historic environment than the effect of works on listed buildings. It nevertheless reflects the Council's aim to secure sensitively designed development in their area. Local Plan Policy 109 sets out measures to retain listed buildings and indicates that consent to alter or extend a listed building will only be granted where a proposal is appropriate to the scale, proportion and appearance of the building. This policy reflects PPG15 guidance and I have therefore attached particular weight to it.

Appraisal

10. In determining your appeal I have had regard to the duty imposed by Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990. This requires me to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. I have also had regard to guidance on the preservation of listed buildings and alterations to them contained in PPG15. The Royal Hotel has three main elements: the original, 3-storey and mainly stuccoed building fronting Station Road, a predominantly 2-storey, brick-faced south wing and a brick-built extension to the east side of the south wing and to the rear of the original building. The stuccoed building, dating from 1838, dominates the composition by reason of its height and architectural treatment. The south wing is prominent in views from the east and west but is subordinate in scale and architectural refinement to the main building. The list description refers to the south wing as being rebuilt in 1860 and further modified in 1937.

11. The windows of the south wing are mainly timber, double hung sashes. Some appear, from their detail and from the type of glass used, to be 19th century; but most are modern. Their general arrangement, design and proportions are reproduced in the windows of the extension on the east side of the hotel. The extension is noticeably a later addition to the building and its generally unweathered appearance indicates that it is of comparatively recent construction. Its architectural treatment is, however, broadly sympathetic with the appearance of the south wing.

12. Windows B8 and B9 are positioned low in the east wall of the extension. They are about 900 mm wide and 500 mm high and are identically constructed of timber with glazing bars forming six, regular and horizontally proportioned panes. Both windows are constructed as bottom-hinged, inward opening casements. Window B9 is fixed shut as it faces an emergency escape route from hotel accommodation above. The positioning of windows B8 and B9 close to ground level has been determined by the slope of the site from north to south. Views of them are partly obscured by low shrubs growing in a planting bed separating the extension from a driveway leading to the hotel car park.

13. The positions and spacing of windows B8 and B9 match the arrangement of the windows immediately above but they do not feature strongly in the architectural composition of the east elevation of the extension or the south wing. For these reasons, they appear as very minor elements of the listed building. Window B8 and B9 are the only windows providing natural light to a small kitchen and a living room at semi-basement level. The glass used in window B8 is clear, giving it an appearance similar to most other windows in the extension and in the south wing. Georgian wired glass is a relatively modern material but one in common use. It is normally used in circumstances where fire resistance or mechanical strength is required. As used in window B9, it appears superficially little

different from the plain glass of window B8 with which it can be readily compared. My inspection indicated that wires used to reinforce the glass are not discernible beyond about 4 metres. In closer views, from normal eye level and at right angles to the window, surface reflections and the subdued level of natural light within the building combine to reduce the extent to which wires embedded in individual panes can be seen. They are even less visible in oblique views. From my inspection I concluded that, other than by close and deliberate inspection, it is difficult to discern that Georgian wired glass has been used in window B9.

14. Although PPG15 specifically mentions the importance of old glass in listed buildings, the advice given is not, in my opinion, directly applicable to the circumstances of this case. Window B9 is stylistically similar to others incorporated in the listed building but is perceptibly modern in its detail. It also forms part of an obvious and recent addition to the listed building. Taking all these considerations into account, I find the effect on the appearance of the listed building of the Georgian wired glass used in window B9 to be so small as to have no significant impact on its special architectural or historic interest. I therefore conclude that the type of glazing installed in window B9 preserves the special architectural or historic interest of the listed building. In the circumstances, I find no serious conflict with aims underlying the development plan policies to which I have referred.

Other Considerations

15. You include with your grounds of appeal a claim that the building is not of special architectural or historic interest and refer to the provisions of Section 21(3) of the Planning (Listed Building) Act 1990. As the reasons for your claim are given without prejudice to the listed status of what you regard to be the original Royal Hotel, I have taken your claim to be in respect of the south wing and the 1980s extension. I understand the arguments you put forward but I have explained my views on the status of the appeal building in paragraphs 4 and 5 of this letter. I can add nothing to them that might be material to a determination of your appeal.

16. I have considered all other matters raised in representations, including matters relating to the hotel's history and to the use of other buildings nearby. I have, in addition, had regard to various enforcement appeal decisions drawn to my attention, but only to the extent that they have a bearing on the substance of this appeal. I have also taken into consideration information concerning the availability of proprietary, fire-resistant glazing that the Council has suggested as an alternative to Georgian wired glass. I find nothing in these, or in any other matter raised in representations, sufficient to outweigh the considerations that have led to my decision in this appeal.

Formal Decision

17. For the above reasons and in exercise of powers transferred to me, I hereby allow this appeal and grant listed building consent for the retention of Georgian wired glass in window B9 at The Royal Hotel, Station Road, Tring in accordance with the application No 4/1660/96 received by Dacorum Borough Council on 11 December 1996 without complying with Condition 4 previously imposed on listed building consent 4/0979/96 but subject to Conditions 1, 2, 3, 5, and 6 attached to that consent, either as originally imposed or as subsequently varied by consents 4/1658/96 (Condition 2) and 4/1659/96 (Condition 3) issued by the Dacorum Borough Council and dated 13 February 1997.

18. An applicant for any consent, agreement or approval required by a condition of this consent has a statutory right of appeal to the Secretary of State if consent, agreement or approval is refused or granted conditionally or if the authority fails to give notice of their planning decision within the prescribed period.

19. This letter does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than Sections 7 and 8 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Yours faithfully



P D WILSON DipArch DipTP RIBA MRTPI
Inspector

NORTHGATE
DOCUMENT STAMPED
TO ENSURE DETECTION
BY SCANNER



TOWN AND COUNTRY PLANNING ACT 1990

DACORUM BOROUGH COUNCIL

Application Ref. No. 4/1660/96

The Royal Hotel
Station Road
Tring
Herts
HP23 5QR

DEVELOPMENT ADDRESS AND DESCRIPTION
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The Royal Hotel, Station Road, Tring

DISCHARGE OF CONDITION 4 PURSUANT TO PLANNING PERMISSION 4/0979/96 (INSERTION OF SPRING BALANCE WINDOWS TO F11 & G14 AND INSERTION OF OPENABLE BOTTOM HINGED WINDOWS TO B8 & B9)

Your application for *the removal of a condition on a previous permission* dated and received on 11.12.1996 has been **GRANTED**, subject to any conditions set out on the attached sheet(s).

Director of Planning

Date of Decision: 13.02.1997

(encs. - Conditions and Notes).



CONDITIONS APPLICABLE
TO APPLICATION: 4/1660/96

Date of Decision: 13.02.1997

Condition 4 shall be varied to read:

"A scheme of alternative glazing for window B9 shall be submitted to the local planning authority by 28 February 1997. The approved scheme shall be implemented by 30 April 1997.

Reason: To ensure a satisfactory appearance.

NORTHSHIRE
DOCUMENT STAMPED
TO ENSURE DETECTION
BY SCANNER