



Appeal Decision

Site visit made on 19 May 2023

by Robert Fallon B.Sc. (Hons) PGDipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th June 2023

Appeal Ref: APP/A1910/W/22/3301877

11 Bridge Street, Hemel Hempstead, HP1 1EG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to approve details reserved by condition.
 - The appeal is made by Mr Henry Bondi against the decision of Dacorum Borough Council.
 - The application Ref 21/04573/DRC dated 3 December 2021, was refused by notice dated 2 February 2022.
 - The development proposed is described on the decision notice as "Details as required by condition 7 (corner feature panel), attached to planning permission 4/01914/17/ROC (Variation of condition 2 (approved plans) attached to planning permission 4/00048/16/FUL - refurbishment and alterations to the building facade at first and second floor levels including the provision of balconies, additional third storey to provide 9 class C3 dwellings (3X1 bed and 6X2 bed flats) together with on-site cycle parking and refuse storage areas.)".
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Decision

1. The appeal is allowed and the details of the corner feature panel, submitted pursuant to condition No 7 of planning permission 4/01914/17/ROC granted on 12 October 2017 are approved.

Procedural matter

2. The decision notice refers to drawings 20068/20, 20068/21, 20068/22 and 20068/02a. However, the appellant states that these are not the correct plans and that the relevant drawings are those referred to on the application form and in the Design Statement. For the avoidance of doubt and in view of the fact that there does not appear to be any dispute between the Council and Appellant on this matter, I have proceeded on the basis that the information and drawings under consideration in this appeal are the Design Statement 18-10-21 (November 2021), the site location plan (1171-001) and Drawing Nos 18-10-21-P10, 18-10-21-P20, 18-10-21-P30; 18-10-21-P40; 18-10-21-P50; and 18-10-21-P60.

Main issue

3. The main issue is the effect of the development on the character, appearance and function of the area.

Reasons

4. The appeal site contains a post-war 4-storey corner building in a prominent town centre location where Bridge Street intersects with The Marlowes, a

- pedestrianised shopping zone. The area forms part of the original construction of the 1947 designated New Town, which is characterised by commercial buildings with retail frontages at ground floor level.
5. The Hemel Hempstead Town Centre Masterplan¹ identifies the site as falling within an 'area of special character', the 'Marlowes shopping zone' and an area of 'New Town heritage in need of improvement'. This documents also shows the site as fronting onto a 'main vehicular link', a 'main pedestrian link', the 'bus interchange' and an area designated for 'public realm improvements'.
 6. The appeal site building has been recently subject to substantial development works that include, amongst other things, an additional storey and new rendered finish & windows. As a consequence, its original architectural character and articulation, which identified it as forming part of the original construction of the New Town, has been significantly eroded.
 7. The proposed corner panel would have an understated and muted finish, just as the previous corner feature panel did on the building before it was rendered. It would not therefore look out of place or be contrary to the original architectural vision for this part of the New Town heritage area. It would however give some articulation and interest to the corner of this structure and complement the simple form and appearance of the building's new rendered finish.
 8. Furthermore, the shape and form of this building, with its slender corner splay, implies that the original architect never intended it to have a prominent corner panel feature or piece of artwork, as was the case for other key buildings in the area. With this in mind, I have concerns that a more elaborate corner panel would draw attention away from the prominent four-panel Portland stone piece of public art on the opposite corner, *Stages in the Development of Man*, by A.H. Gerrard (dating from 1955).
 9. The Council has raised concerns in respect of long term weathering of the proposed corner panel. However, I see no reason why its 25mm projection would result in any more staining or plant growth than other architectural features on the building or why it would necessitate any more maintenance than that routinely required in connection with the external surfaces and windows. In any event, if lack of maintenance resulted in the external condition of the building harming the amenity of the area, powers exist under s215 of the 1990 Town and Country Planning Act (as amended) for the local planning authority to serve a notice requiring this to be remedied².
 10. In light of the above, it is my view that the subtle contemporary form of the proposed corner panel would be more coherent with the new rendered finish of the building and represents an appropriate design response in keeping with its New Town heritage location.
 11. I therefore conclude that the development would not be harmful to the character, appearance & function of the area and that it would accordingly comply with Policies CS11 and CS12 of the Core Strategy³, which collectively

¹ Hemel Hempstead Town Centre Masterplan 2011-2021, Adopted January 2013, Dacorum Borough Council.

² See 'Town and Country Planning Act 1990 Section 215 Best Practice Guidance', Office of the Deputy Prime Minister, January 2005, as referred to by the Planning Practice Guidance Paragraph: 068 Reference ID: 17b-068-20190722, Revision date: 22 07 2019.

³ Core Strategy 2006-2031, adopted 25 September 2013, Dacorum Borough Council.

seek, amongst other things, to ensure that development; - (a) integrates with streetscape character; and (b) coordinates streetscape design between character areas.

12. I also find that the scheme accords with Paragraph 130 of the Framework⁴, which seeks, amongst other things: (a) development that will function well over its lifetime; (b) development that is sympathetic to local character; and (c) schemes that maintain a strong sense of place.

Conclusion

13. In view of the above, having had regard to all other matters raised, I conclude that the appeal should be allowed.

Robert Fallon

INSPECTOR

⁴ National Planning Policy Framework, Ministry of Housing, Communities and Local Government, 20 July 2021.