



Appeal Decision

Site visit made on 16 April 2025

by R Major BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st May 2025

Appeal Ref: APP/A1910/D/24/3350925

61 Akeman Street, Tring, Hertfordshire HP23 6AN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Oliver Andrew of Hyperspace against the decision of Dacorum Borough Council.
 - The application Ref is 24/01130/FHA.
 - The development proposed is extension and conversion of an existing outbuilding into a working from home office. A purpose built extension to the second floor will allow for a new working from home office. At the ground floor the original outbuilding is reconfigured to allow for utility, WC and storage. A small extension to the front of the outbuilding forms an outside store for the main dwelling house.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The name of the appellant within the planning application form differs from that included on the appeal form. However, it has been confirmed that the appellant is Mr Oliver Andrew, as detailed on the planning application form.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the area and whether it would preserve or enhance the character or appearance of the Tring Conservation Area (the CA).

Reasons

4. The appeal site is situated within the CA and therefore in accordance with the statutory duty set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), I have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA.
5. The CA as a whole is large and covers a wide range of buildings, uses and areas, including the historic centre of the medieval market town of Tring. The significance of the CA, in part, derives from its mixed character and built form, including its often open and green surroundings.
6. In so far as it is relevant to the appeal, I consider that the significance of this part of the CA is mainly derived from the densely grouped buildings with back yards, and the variety of rear extensions and outbuildings associated with the frontage buildings. Whilst there are differing roof styles and levels in the vicinity, the roofscape has elements of harmony and hierarchy, whereby secondary buildings and extensions

have a lower ridge height than the main buildings. Collectively, I find these features contribute positively to the character and appearance of this part of the CA.

7. The raising of the roof of the appeal building would result in its ridge breaching and disrupting the eaves line of the building directly to the rear. It would also result the new ridge height being higher than the two-storey rear extension attached to the main dwelling, and significantly higher than the two-storey extensions situated to the rear of the properties at 62 and 63 Akeman Street. The increase in height would therefore upset the existing harmony of the roofscapes in this area which is characterised by a gradual reduction in the height of secondary and ancillary buildings as the distance from the rear of the main building increases.
8. The increase in ridge height would also result in this ancillary outbuilding becoming a visually prominent and dominant building on the street scene due to the open aspect afforded to it when viewed from Albert Street. The visual prominence of this increase in ridge height would be exacerbated by the natural topography of the area which results in the outbuilding being set at a higher land level than the buildings fronting onto Akeman Street and the highway of Albert Street.
9. Currently, the simple pitched roof design of the outbuilding relates well to the pitched roof design of the larger former church building next door, which is the dominant building along this part of the street. However, the proposed projecting flat roof feature on the east side of the roof pitch would represent a bulky and incongruous feature when viewed from public vantage points along Albert Street, creating an asymmetrical elevation facing this highway.
10. This projecting feature would therefore disrupt the existing simple pitched roof form of the appeal building and harm the visual relationship its shares with the adjacent former church building, to the visual detriment of the area. This feature, along with the increase in eaves and ridge height, would also result in the outbuilding competing with the adjacent former church building to be the most prominent and visually dominant building along this part of the street.
11. Additionally, I find this flat roof projecting feature, which also includes glazed elements on its slope facing towards Albert Street, would be out of keeping with the design and appearance of other more traditional roofs styles within this part of the CA. Whilst the use of green roofs would somewhat soften the visual impact, this projecting box feature would nevertheless represent an incongruous addition to the outbuilding and area in general.
12. The use of timber on the raised section of outbuilding, as well as on the single storey section at the front, would largely be out of keeping with the prevailing brick materials found within the street scene. When viewed from street level, timber would be the dominant material at the top and bottom of the outbuilding and the contrast with the surrounding brick would only further increase the visual prominence of the extended outbuilding.
13. In coming to this view, I note that the existing building has a timber hatch at first floor level. However, this timber hatch represents a relatively modest proportion of the existing building's material finish. I do not therefore find a direct correlation between this existing hatch and proposed use of a significant amount of timber on the proposed raised upper section of the building.

14. My attention has also been drawn to other examples of where timber can be found within the CA. However, I found that none of these examples were comparable to the appeal proposal which seeks to utilise a mix of different types of timber finishes, and brick, within the same front elevation facing onto a highway. I therefore do not find the use of timber as the predominant material on the front elevation of the outbuilding to be a positive feature within the immediate surroundings, which is defined by brick buildings.
15. I am aware of a previously withdrawn planning application¹ for alterations to the appeal building. The appellant states that the current proposal includes various amendments which sought to overcome the Council's concerns in respect of the previously withdrawn application. I have not however been provided with the full details of this previously withdrawn application. Nevertheless, it is my role to determine the appeal scheme that is before me and therefore any amendments made to the previously withdrawn application carry limited weight in my consideration of this appeal.
16. Reference has also been made to a previous application² which included an increase in the ridge height of the outbuilding, as well as dormer extensions. I have been provided with no evidence to suggest this previous permission remains extant or represents a fallback position.
17. This previous approval from 2000 was determined under a different development plan and prior to the publication of the National Planning Policy Framework (the Framework). The Framework has placed a new emphasis on high quality design and there has consequently been a material change in policy since this previous approval was determined.
18. Moreover, having been provided with images of the plans for the previously approved development, it is significantly different in design to the appeal scheme and is therefore distinguishable in a relevant respect. Furthermore, whilst this previous approval is a material consideration, I am not bound by a previous decision of the Council and have exercised my own judgement on the appeal proposal.
19. The appellant has also provided photographs of other buildings that have been altered, as well as differing roof styles, in the wider area. However, I have been provided with limited details in respect of these images and their relationship to the appeal site. Furthermore, each application must be judged on its own merits and on the site-specific circumstances, and in any case, none of these examples appear to be comparable to the design of the appeal scheme before me. Consequently, these other examples of properties and roof styles in the wider area carry limited weight in my determination of this appeal proposal.
20. In view of all the above, the proposal would fail to preserve the character and appearance of the CA and I give this harm considerable importance and weight. The proposal would also harm the character and appearance of the area.
21. In terms of the Framework, the harm to the significance of the CA would be 'less than substantial'. Therefore, in accordance with paragraph 215 of the Framework this harm must be weighed against the public benefits.

¹ Council Reference: 24/00450/FHA

² Council Reference: 4/1071/00

22. There would be some economic benefits to the area during the construction phase of the development and the appellant has stated that the timber would be locally sourced. Given the scale of development I attach limited weight in respect of the economic benefits.
23. The use of green roofs provides an opportunity to encourage rainwater harvesting and increase biodiversity on the site, including through the provision of blossoming sedum and wildflowers. The submission also details that the proposal would be carbon neutral. However, given the scale of the development and limited detailed information provided in respect of energy efficiency levels and the overall biodiversity gain that would be achieved, I attribute these matters limited weight in favour of the appeal.
24. The appellant, and interested parties, have drawn my attention to the condition of the existing building and the need to bring it back into use, as opposed to demolishing it. The appeal submission is also accompanied by an assessment of the condition of the building which advises that works need to be undertaken as soon as possible to the building. However, I have limited information before me that the appeal scheme is the only way the outbuilding can be repaired, retained or brought back into use. This therefore limits the weight I can attribute this matter in favour of the appeal.
25. In view of my findings above, whilst there are public benefits that weigh in favour of the appeal scheme, when taken together the public benefits arising from the appeal proposal would not outweigh the harm I have identified. Thus, the proposal would conflict with the Framework.
26. I conclude that the proposal would not preserve the character and appearance of the CA to the desirability of the preservation of which I am required to have special regard. The proposal would also harm the character and appearance of the area in general.
27. The proposal therefore fails to accord with Policies CS11, CS12 and CS27 of the Dacorum Core Strategy 2006 – 2031 (adopted 2013), as well as Saved Appendix 3 and Saved Policy 120 of the Dacorum Borough Local Plan 1991-2011 (adopted 2004). These policies together require, among other things, that developments preserve or enhance the character or appearance of Conservation Areas; protect and conserve the integrity, setting and distinctiveness of designated heritage assets; respect adjoining properties in terms of layout, scale, height, bulk and materials; that proposals should be guided by the existing topographical features of the site; and respect the character of the surrounding area. The development also fails to satisfy the requirements of the Act and the relevant sections of the Framework.

Other Matters

28. The neighbouring property at number 60 Akeman Street (no. 60) is a Grade II Listed Building and in determining this appeal I have a statutory duty, under Section 66(1) of the Act, to have special regard to the desirability of preserving the setting of the listed building, and any features of special architectural and historic interest.
29. No. 60, built in the early 19th century, is a two-storey end terrace property of yellow brick construction, with a stucco painted plinth and steep pitched slate roof. Its attractive front elevation is symmetrical, with a central door and sash windows either side. The door has a rounded head arch and decorative fanlight. At first floor level

the three sash windows align with the door and windows below. I find the front elevation of this listed property is of significant architectural interest.

30. The exposed side elevation, and the rear elevation, have a rendered finish. To the rear is a two-storey addition, which extends out a significant distance and its south facing elevation faces into a courtyard area to the rear of no. 60. The main south facing elevation of this rear extension is rendered and includes modern windows and entrance doors, a porch and a metal external staircase.
31. The appeal proposal would be viewed against the backdrop of the north facing elevation of this two-storey rear extension, which has a brick finish and two narrow horizontal windows just below eaves level. As a result of intervening buildings, the appeal proposal would not be visible from, or associated with, the attractive front elevation of this neighbouring listed building and thus I find that it would not have a harmful impact upon its setting and features of interest. As such the appeal proposal would preserve the setting of this listed building and its features of special architectural and historic interest.

Conclusion

32. The proposal conflicts with the development plan taken as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above, and having regard to all matters raised, the appeal is dismissed.

R Major

INSPECTOR