

**ITEM NUMBER: 5e**

<b>24/00318/LBC</b>	<b>Removal of tiles from front elevation and replacement with rendering.</b>	
<b>Site Address:</b>	<b>Dalchini 91 - 95 High Street, Hemel Hempstead, Hertfordshire, HP1 3AH</b>	
<b>Applicant/Agent:</b>	<b>Mr Colin Cantellow</b>	
<b>Case Officer:</b>	<b>Elsbeth Palmer</b>	
<b>Parish/Ward:</b>	<b>Hemel Hempstead (No Parish)</b>	<b>Hemel Hempstead Town</b>
<b>Referral to Committee:</b>	<b>As the applicant is a DBC employee.</b>	

**1. RECOMMENDATION**

That Listed Building Consent be GRANTED.

**2. SUMMARY**

- 2.1 The proposed replacement of tiles with render will not cause any harm to the setting of the listed building or the Conservation Area.
- 2.2 The proposals will preserve the significance of Dalchini 91-95 High Street, Hemel Hempstead as a listed building and in accordance with policy CS27, and the NPPF, the integrity, setting and distinctiveness of the designated heritage assets is protected, conserved and enhanced.

**3. SITE DESCRIPTION**

- 3.1 The application site contains a Grade II Listed building located on the eastern side of High Street, Hemel Hempstead within the Old Town Conservation Area. The building has 3 storeys with an Indian restaurant at ground floor and residential above.

**4. PROPOSAL**

- 4.1 The application seeks listed building consent for the removal of the grey ceramic tiles from the front elevation and replacement with a K Rend product.

Background

- 4.2 Grey ceramic tiling had previously been installed to the front elevation of the building without listed building consent. An application was submitted to regularise the situation.
- 4.3 23/01180/LBC for repairs and new signage was refused on 31<sup>st</sup> July, 2023 for the following reason:

*The tiling by nature of its shape, size and colour would detract from the character, appearance and historic significance of the Listed Building. The proposals result in less than substantial harm to a heritage asset and therefore fail to meet the requirements of the Planning (Listed Building and Conservation Areas) Act 1990, CS27 of the Core Strategy (2013), Saved Policy 119 of the Dacorum Local Plan (2004) and the NPPF (2021).*

**5. PLANNING HISTORY**

Planning Applications:

23/01180/LBC - Repairs and new signage

*REFUSED - 31st July 2023*

4/00666/03/LBC - Addition of extractor fan to side of building  
*REFUSED - 21st May 2003*

4/00665/03/FUL - Addition of extractor fan to side of building  
*REFUSED - 21st May 2003*

4/00165/96/LBC - Erection of fascia sign and non-illuminated projecting sign  
*GRANTED- 19th April 1996*

4/00164/96/ADV - Erection of fascia sign and non-illuminated projecting sign  
*GRANTED - 19th April 1996*

4/01229/92/LBC - Erection of aerial mast  
*GRANTED - 26th November 1992*

4/01228/92/FUL - Use of first floor room as taxi control office & erection of aerial  
*REFUSED - 12th November 1992*

4/01312/91/LBC - Installation of air conditioning plant on roof (modification)  
*GRANTED - 4th November 1991*

4/01311/91/FUL - Installation of air conditioning plant on roof (modified)  
*GRANTED - 4th November 1991*

4/00681/91/LBC - New shop front and internal alterations  
*GRANTED - 11th July 1991*

4/00680/91/FUL - Shopfront  
*GRANTED - 11th July 1991*

4/01229/90/FUL - Change of use storage to residential  
*WITHDRAWN - 18th October 1990*

4/00197/90/LBC - Single storey rear extension and fire escape  
*GRANTED - 20th June 1990*

4/00196/90/FUL - Single storey rear extension and fire escape  
*GRANTED - 20th June 1990*

## **6. CONSTRAINTS**

CIL Zone: CIL3  
Conservation Area: HEMEL HEMPSTEAD  
Parish: Hemel Hempstead Non-Parish  
RAF Halton and Chenies Zone: Yellow (45.7m)  
Smoke Control Order  
Parking Standards: New Zone 3

Town: Hemel Hempstead

## **7. REPRESENTATIONS**

Consultation responses

7.1 These are reproduced in full at Appendix A.

#### Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

### **8. PLANNING POLICIES**

Main Documents:

Planning (Listed Building and Conservation Areas) Act 1990 – Section 16(2) and 66(1)

National Planning Policy Framework 2023 – Section 16

Dacorum Borough Core Strategy 2013 – Policy CS27

Dacorum Borough Local Plan 2004 – Saved Policy 119

### **9. CONSIDERATIONS**

#### Impact on Significance of Heritage Asset

- 9.1 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard should be had to the desirability of preserving listed buildings or their setting. This means that considerable weight and importance must be given to any harm caused to designated heritage assets in the planning balance. Additionally, the National Planning Policy Framework 2021 advises that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to its conservation.
- 9.2 The main issue of relevance to the consideration of this application therefore relates to the impact of the proposal upon the character and appearance of the Grade II Listed Building.
- 9.3 Policy CS27 of the Dacorum Core Strategy seeks to ensure that all development favours the conservation of heritage assets, and the integrity, setting and distinctiveness of designated and undesignated heritage assets is protected, conserved and, if appropriate, enhanced.
- 9.4 Saved Policy 119 of the Dacorum Local Plan (2004) states that consent to alter a Listed Building will only be granted where it can be satisfactorily demonstrated that the proposed works would be carried out in a manner appropriate to the scale, proportion and external and internal appearance of the building. The National Planning Policy Framework (NPPF) (2021) seeks to ensure that heritage assets are preserved and enhanced.
- 9.5 The Council's Conservation Officer has assessed the proposal and stated that the proposal is acceptable. The scheme will rectify the current situation where the applicant has placed grey tiles to the frontage of the building and allow the significance of the Listed Building to be preserved.
- 9.6 The applicant has agreed to the frontage (where the ceramic grey tiles have been fixed) being rendered in Pewter Grey K Rend which is acceptable to the Conservation Officer.
- 9.7 As this relates to removal of unauthorised works a condition will be set requiring the works to be completed within the time period of 4 months.
- 9.8 The proposed scheme by nature of its siting, scale and design will not cause any harm to the setting of the listed building or the Conservation Area.

9.9 In summary the proposals will preserve the significance of Dalchini 91-95 High Street, Hemel Hempstead as a listed building and in accordance with policy CS27, and the NPPF, the integrity, setting and distinctiveness of the designated heritage assets is protected, conserved and enhanced.

## 10. CONCLUSION

10.1 To conclude it is considered that the character/appearance/setting of Dalchini 91-95 High Street, Hemel Hempstead, will not be detrimentally affected by the proposal and it therefore complies with the relevant policies listed above.

## 11. RECOMMENDATION

11.1 That listed building consent be GRANTED subject to the following conditions:

### Condition(s) and Reason(s):

1. **The works hereby permitted shall be completed within 4 months from the date of this consent.**

Reason: To comply with Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990, as amended by Section 51 (4) of the Planning and Compulsory Purchase Act 2004.

2. **The existing grey ceramic tiles will be removed and replaced with a render in Pewter Grey K Rend.**

Reason: To ensure that the character or appearance of the designated heritage asset is preserved or enhanced as required per Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy CS27 of the Dacorum Borough Core Strategy (2013) and Section 16 of the National Planning Policy Framework (December 2023).

### Informatives:

1. Listed Building Consent has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

## APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Conservation & Design (DBC)	<p>The proposal is acceptable and as discussed with the dept. This would rectify the site and allow its significance to be preserved. Colour finish subject to approval.</p> <p>That looks fairly neutral - no objection.</p>

## APPENDIX B: NEIGHBOUR RESPONSES

### Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
0	0	0	0	0

### Neighbour Responses

Address	Comments
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