
Appeal Decision

Site visit made on 20 September 2016

by Stephen Normington BSc DipTP MRICS MRTPI FIQ FIHE

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 4th October 2016

Appeal Ref: APP/B1930/W/16/3150145

**Royal Oak Cottage, 173 Lower Luton Road, Wheathampstead,
Hertfordshire AL4 8HQ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Dave and Jo Ashcoft against the decision of St Albans City & District Council.
 - The application Ref 5/16/0162, dated 19 January 2016, was refused by notice dated 15 March 2016.
 - The development proposed is garage loft conversion and rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the setting of the adjacent Grade II Listed Building.

Reasons

3. The appeal site comprises No 173 Lower Luton Road which contains a timber framed two storey detached dwelling which is a Grade II Listed Building dating from the late 17th or early 18th century. Although not referred to in the listing description, a detached single storey double garage with a pitch roof is located within 6m of the dwelling. As such the garage forms part of the setting of the Listed Building and is sited with its front elevation being positioned at right angles to the dwelling.
 4. The proposed development would involve the construction of a rear extension to the garage with the conversion of the roof space to form a games room. The ground floor would be retained for the parking of cars with the stairs to the first floor level being provided within the proposed extension. The extension would be approximately 6.4m wide and 2.1m deep with a gable roof, having a centrally glazed area, to a height of 5.1m. In addition, one round window would be inserted at roof level in each of the existing end elevations.
 5. I agree with the Council that the garage currently appears as a subordinate feature to the Listed Building and although is of a more modern construction it is currently reticent within the site. Whilst there would be no change to the appearance of the front of the garage, the proposed extension would increase
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the mass of the structure which would give it undue prominence within the setting of the Listed Building.

6. This prominence would be exacerbated by the introduction of the circular windows in the side elevation; the large ecclesiastical style two storey glazed feature on the rear elevation of the proposed extension; the proposed large gable roof extension, and the introduction of weatherboarding as an external cladding to the extension. These elements would be at odds with the character of the Listed Building and their overall combination would further increase the prominence of the garage.
7. Whilst I recognise that the appellants view that the choice of external materials may give the proposed extension an appearance of subservience to the existing garage, in my view, this contrast would add to the prominence of the extension within the setting of the Listed Building.
8. I have taken into account the fact that the existing end gable of the Listed Building has a large area of glazing on the ground floor which is a more modern addition to the property. Whilst I have no details of the circumstances that led to this glazing being considered acceptable by the Council, it is now an accepted part of the Listed Building. The proposed glazing would be ecclesiastical in design and extend over two storeys. As a consequence, it would markedly contrast with the existing glazing.
9. I consider that the proposed development by reason of its scale, mass, fenestration and external materials would introduce a prominent and dominant feature that would fail to preserve the setting of the adjacent Listed Building and would result in unacceptable harm to that setting.
10. The proposed development would therefore fail to preserve the setting of the adjacent Listed Building and cause material harm to the building's special and historic significance as a heritage asset. Paragraph 132 of the National Planning Policy Framework (the Framework) states that when considering the impact of a proposal on a designated heritage asset, great weight should be given to the assets conservation. It confirms that significance can be harmed by alterations to the heritage asset and development within its setting.
11. I consider the impact on the setting of the Listed Building would be less than substantial harm and therefore paragraph 134 of the Framework is engaged which requires me to weigh this harm against the public benefits of the proposal. In this case there are no overriding public benefits that would outweigh the harm identified.
12. For the reasons given above the proposal would be contrary to the clear expectations of Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990. It would also be contrary to Policies 69, 86(i) and 86(iii)(g) of the St Albans District Local Plan Review 1994). These policies require, amongst other things, that development is of a high standard of design that preserves the setting of a Listed Building. In addition, curtilage buildings which dominate the appearance of the original building or otherwise detract from the Listed Building by reason of scale and design will not be supported.

Conclusion

13. For the above reasons, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

Stephen Normington

INSPECTOR