
Appeal Decision

Site visit made on 29 November 2016

by David Richards B Soc Sci DipTP MRTPI

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

Decision date: 19 December 2016

Appeal Ref: APP/B1930/Y/16/3156628

Land to the rear of The Bull Public House, 43 High Street, Redbourn, Hertfordshire, AL3 7LW

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a failure to give notice within the prescribed period of a decision on an application for listed building consent.
 - The appeal is made by B F Darlow Ltd against St Albans City & District Council.
 - The application Ref 5/2016/1424 is dated 5 May 2016.
 - The works described in the application are formation of a new side pedestrian door and general repairs to existing building within the curtilage of the Grade II listed 'The Bull Public House' including brickwork repair, repointing and existing garage door replacement.
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Decision

1. The appeal is allowed and listed building consent is granted for the formation of a new side pedestrian door and general repairs to existing building within the curtilage of the Grade II listed 'The Bull Public House' including brickwork repair, repointing and existing garage door replacement at Land to the rear of The Bull Public House, 43 High Street, Redbourn, Hertfordshire, AL3 7LW in accordance with the terms of the application Ref 5/2016/1424, dated 5 May 2016 subject to the following condition:
 - 1) The works for which consent is hereby granted shall be carried out and retained in accordance with the following approved plans: Proposed Site Plan ref: 6309-1106; Existing Garage Alterations Plan ref: 6309-SK001-B.

Main Issue

2. The effect of the works on the setting and significance of the listed building and on the Conservation Area in which it stands.

Reasons

3. The application was made retrospectively for works that have already been carried out.
4. The appeal site lies to the rear of the Bull Public House (PH), a distinctive Grade II listed building fronting onto Redbourn High Street. The PH was vacant at the time of the site visit and boarded up.
5. The listing description is as follows:

'Public House. Probably C17. Large timber frame range with 2 good mid-late C17 chimney stacks. Early C20 roughcast front with plaster ornament. Plain tile roof. 2 storeys. 7 recessed sash windows. 2 half glazed doors with deep cornice hoods on heavy scrolled brackets. Deep Tuscan eaves cornice. Large chimney stack on left centre has a square base with an oval brick panel and 6 grouped diagonal shafts. Right stack has 3 square shafts in stepped plan. The front has two large ornamental plaster sign buildings.'

6. The building which has been affected by the works lies to the rear of the PH, within the curtilage, and is therefore included within the listing.
7. The Council state that it would have refused the application if it had retained jurisdiction for the following reason:

'By reason of the insertion of the door and the resulting loss of historic fabric, together with the amended position of the brick wall to the rear of the new dwellings compared with that approved under application reference 5/2014/2225, the works shown on the submitted drawings are detrimental to the character and appearance of the Listed Buildings due to the loss of historic fabric and the resulting separation of the garage from the curtilage of the listed building. The harm caused to the fabric of the building and the significance of The Bull PH is not justified on the basis of the information submitted with the application and is not outweighed by public benefit. The works are therefore contrary to the aims of Policy 86 (Buildings of Special Architectural or Historic Interest) of the St Albans District Local Plan Review 1994 and the National Planning Policy Framework 2012.'

8. The Council has previously approved a terrace of three dwellings which have been constructed. The permission included a boundary brick wall intended to separate the boundary of the residential development from the boundary of the listed curtilage. This has only been completed in part. To the rear of Plot 3 the wall has not been built to allow access from Plot 3 to the curtilage listed outbuilding that is the subject of this appeal.
9. Insofar as relevant to the determination of this appeal saved Policy 86 of the St Albans Local Plan states that the Council will have special regard to the desirability of preserving buildings of special architectural or historic interest and their setting or any features of architectural or historic which they possess.
10. The insertion of the door into the gable of the outbuilding facing the rear of Plot 3 has resulted in a modest change to the external appearance of the curtilage listed building. The gable wall was previously obscured by a lean-to element which has been removed (with permission) as part of the development of three dwellings. The building has a simple envelope and appears to have been constructed as a garage, or converted from a previous building. It has timber doors facing the courtyard of the Bull which have been replaced on a like for like basis.
11. To my mind the works which have been carried out to date have had minimal impact on the significance of the Listed Building. The insertion of the pedestrian door in the gable end represents a modest change to a wall which has no distinctive architectural or historic merit in its own right, and which shows signs of previous repair and alteration. The outbuilding itself is not referred to in the listing description, and the only apparent change to the external appearance is on the gable wall facing away from the main PH building. I accept that garage

buildings can be characteristic of the layout and history of a traditional PH complex. However the works carried out have preserved the visual relationship with the main PH building, even if the outbuilding is now associated with the dwelling on Plot 3 rather than the PH itself. The replacement of the garage doors on a genuine like-for-like basis does not in any event require listed building consent.

12. In summary, I do not consider that the works already carried out have had any materially harmful effect on the significance of the listed building, its setting or the character and appearance of the Conservation Area in which it stands.
13. In circumstances where there would be no harm either to the fabric or the significance of the Listed Building, it is not necessary for the appellant to demonstrate public benefit capable of outweighing harm, in accordance with the advice in Section 12 of the Framework.
14. I note the permitted residential development has taken place on land which was previously within the curtilage of the PH, without causing any apparent harm to the setting or significance of the listed building or the Conservation Area. I do not consider that the works under consideration in this appeal have had any greater impact on the significance of the heritage assets.
15. For the reasons given above I conclude that there is no conflict with relevant advice in the Framework in respect of the conservation of heritage assets, or with saved Policy 86 of the LP. Accordingly, I allow the appeal and grant listed building consent for the works described in the application.
16. The Council states that the detail specified in drawing 6309-SK001B (timber ledge and braced pedestrian door and replacement main doors to match the existing) is satisfactory in the event of the appeal being allowed, and accordingly there is no necessity for any conditions to be attached. However, to ensure clarity on what has been consented, I shall impose a condition specifying the plans submitted with the appeal.
17. For the avoidance of doubt, this consent only grants consent for the works described in the application and does not grant any other consent or permission.

David Richards

INSPECTOR