
Appeal Decision

Site visit made on 7 January 2020

by M Allen BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 February 2020

Appeal Ref: APP/B1930/W/19/3234659

6 Adelaide Street, St Albans AL3 5BH

- 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 Kess Skinner against the decision of St Albans City & District Council.
 - The application Ref 5/18/3030, dated 1 October 2018, was refused by notice dated 5 February 2019.
 - The development proposed is described as “use of the roof terrace area”.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue raised in this case is the effect of the proposal on the character and appearance of the building and the area, bearing in mind the site's location within the St Albans Conservation Area and that the site is a locally listed building.

Reasons

3. The appeal site comprises a three-storey building, under a pitched roof, located directly alongside the street. The front elevation has a regular pattern of blocked up window openings to the first and second storeys, with the eaves positioned just above the lintels of the third storey openings. To the side of the building is a three-storey flat-roofed addition. The building is locally listed, and as such comprises a non-designated heritage asset.
4. The site is located within the St Albans Conservation Area. I observed that the significance of this designated heritage asset, lies in part, due to arrangement of buildings along nearby St Peter's Street providing an attractive, tree-lined principle thoroughfare in the area, enclosed with predominantly commercial premises, with secondary buildings located behind.
5. The appeal scheme proposes the raising of the roof of the building, removing the pitched roof and its replacement with an additional storey, which would be used as a roof terrace. The eaves to the front elevation would be raised with a screen wall appearing above the existing row of blocked up windows to the third storey. There would be a small glazed element to the corner of the front elevation, sweeping around to the side elevation.
6. The scheme would intrinsically alter the appearance of the building, as a former factory building, eliminating the traditional form of the pitched roof above the elevations, which contributes to its significance. There would be a large expanse of

wall above the third storey windows which would be uncharacteristic of the traditionally proportioned building. The inclusion of the glazed element would further emphasise the proposal as being at odds with the simple elevations that currently exist. Thus, the alteration at roof level would be a discordant and incongruous addition, inconsistent with the uncomplicated form of the building, harming its significance as a non-designated heritage asset. The appellant contends that the building would appear lower than currently, however given the increase in height, together with the introduction of the screen wall above the existing window openings, I do not agree that this would be the case.

7. The proposal would also result in a degree of activity taking place at roof-top level, with associated paraphernalia. This would include additional lighting, which would accentuate the inharmonious appearance of the roof addition, particularly through the glazed elements which would allow light to extrude from the area. The glazed elements would also allow views of seating and other associated components at an elevated position. This would appear as an intrusive feature within the area.
8. Whilst I note that currently the appeal building is not insignificant visually, it is subservient in scale to the nearby hotel building, as well as appearing only marginally taller than other buildings which front St Peter's Street. As a result, the existing building sits comfortably within its context and does not appear as an overly dominant feature in views, whether close up or from a distance. The addition of the proposal would increase the visual prominence of the building within its context. It would result in the building appearing noticeably taller than the nearby building fronting St Peter's Street. Furthermore, it would appear to extend to a height similar to that of the tallest part of the adjacent hotel building. As a result, the proposal would result in the building being an assertive visual element which would fail to integrate acceptably with the surrounding townscape.
9. I observed that from St Peter's Street, there were glimpses of the ridgeline of the roof of the appeal building visible above the roofs of buildings which front the street. The proposed increase in height would result in the building being significantly more prominent in such views and consequently would appear as an intrusive and insensitive visual element, not appearing as a secondary building, but competing visually with those fronting St Peter's Street. I also consider it likely in other views from within the surrounding area, from Catherine Street and Drovers Way for example, the proposals would appear as the tallest building and therefore would be a jarring visual feature. This would be harmful to the significance of the CA as a designated heritage asset.
10. The site is located within the Council's defined "Building Height Control Area", where proposals should be compatible with the local roofscape. For the reasons given above, the scheme would appear as an intrusive addition at roof level and thus would not be compatible with the local roofscape.
11. I note that the Council express concern that the increase in height of the building would result in an exacerbation of a "canyon" effect within Adelaide Street. However, given the existing heights of the buildings along this street, I consider that any effect in this respect would not be significant. This does not however overcome the harm I identify above.
12. Accordingly, I find that the proposal would have a harmful effect on the character and appearance of the locally listed building and the area, including the St Albans Conservation Area. The scheme therefore conflicts with saved policies 85, 87 and 114 of the St Albans Local Plan Review (1994). Together, and amongst other things, these policies seek to ensure that within conservation areas proposals must preserve or enhance the appearance of the conservation area, that features of

merit on locally listed buildings are preserved and that proposals are compatible with the local roofscape. The proposals would also conflict with the design and heritage protection aims of the National Planning Policy Framework.

13. In failing to preserve the character and appearance of the conservation area, I find that the scheme would result in less than substantial harm to a designated heritage asset. As required by paragraph 196 of the Framework, I have had regard to the limited public benefits of the proposed development identified, particularly in this case economic benefits both during and after construction. However, any such benefits are not sufficient to outweigh the harm that I have identified.

Other Matters

14. The appellant makes comment that there is no justification for the Council to "compile their own entirely unofficial lists of 'locally listed' buildings". However, the Governments Planning Practice Guidance advises that such non-designated heritage assets can be identified by plan-making bodies, for consideration in planning decisions but which do not meet the criteria for designated heritage assets. As such, there is nothing improper in the building being considered a locally listed building.
15. There is also reference to the area within which the appeal site lies having undergone major change and redevelopment, in particular contending that the new adjacent hotel has not resulted in any improvement to the area. Notwithstanding, I have considered the appeal scheme on the basis of the characteristics of the area as they exist and have found harm sufficient to dismiss the appeal. I also acknowledge that opportunities to improve the quality of areas and the streetscene should be supported, however I have found in this case that the appeal proposal would result in harm to, rather than improve, the area.
16. I acknowledge that there would be economic benefits associated with the development, as well as that there is a lack of other similar development within the area and the intention is to create an area in order to displace crowds that congregate along Adelaide Street. Nevertheless, these matters do not outweigh the harm I identify.
17. Comment is made that locally listed buildings retain permitted development rights for alterations, albeit that the location in a conservation area would limit these. There is no suggestion that a development such as that which is proposed would be possible through the exercising of these permitted development rights. This matter therefore provides little justification for the proposal.

Conclusion

18. Therefore, for the reasons given above and having regard to all matters raised, I conclude that the appeal should be dismissed.

Martin Allen

INSPECTOR