
Appeal Decision

Site visit made on 3 August 2020

by Nicola Davies BA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 August 2020

Appeal Ref: APP/B1930/W/20/3251433

143B, 143C and Land Rear of 143 Victoria Street, St Albans, Herts AL1 3TT

- 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 P Hicks of Aldun Property Co Ltd against the decision of St Albans City & District Council.
 - The application Ref 5/20/0192, dated 15 January 2020, was refused by notice dated 19 March 2020.
 - The development proposed is conversion and extension of existing office building to provide five flats.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the site address and description of proposed development from the planning application form although I note these are expressed differently on other documents. I have also taken the appellant's name from the planning application form but note a Christian name has been provided on the planning appeal form.

Main Issues

3. The main issues raised by this appeal is the effect on of the proposed development upon the character and appearance of the area and whether it would preserve or enhance the character or appearance of St Albans Conservation Area (the CA).

Reasons

4. Dating from the late Victorian period 141 and 143 Victoria Street are a pair of two-storey buildings of modest scale. The appeal property is situated to the rear of No 143. Adjacent No 143 is Trinity United Reform Church. This is a large, colourful and architecturally detailed building dating from the Edwardian period. It is a landmark building within the CA with its spire being a reference point in views within the CA. These buildings, due to their age and, in regard to the church, its characterful appearance, make a significant contribution to the historic context of the CA, as well as to the character and appearance of the area and the setting of this part of the CA. I note that No 143 along with the church have been locally listed, no doubt in recognition of their contribution to the character and appearance of the CA. Whilst the Council state that the

- appeal building is locally listed, the evidence provided by the appellant suggests otherwise.
5. The appeal building is visible along the access between No 143 and the Church. Presently this former workshop building has a subservient appearance being smaller and lower in height to that of No 143 and the Church.
 6. I acknowledge that the Council's CA Character Appraisal highlights Victoria Street as 'urban and predominantly commercial in character'. I consider this to be a fair description of the existing development that fronts onto Victoria Street. Nonetheless, the proposal needs to be considered within the context of the existing development that surrounds the appeal property.
 7. The proposal would increase the height of the building by adding an additional storey. This would substantially change the appearance of the existing modestly scaled two-storey building. The additional height would appear dominant upon the host property. This would increase the prominence of the building and change its visual relationship with No 143 and the Church. When observed within the context of the CA it would appear to visually compete with No 143 and the Church and this would diminish its present appearance as a subordinate building behind the existing road frontage properties. This would be harmful to the character and appearance of the area and would fail to preserve or enhance the setting of the CA.
 8. I accept that the developments along Victoria Road and Beaconsfield Road largely obscure the existing building in public views and in views along Victoria Street. Public views of the existing building are, therefore, limited to that view along the access between No 143 and the Church. Nonetheless, Victoria Street is a busy highway with people and road traffic passing by. Although the harm would be limited it would still be perceivable to the public in public views. The increased prominence of the building and the visual harm arising to the character and appearance of the area would also be perceivable in the outlook of the occupiers of adjoining residential properties.
 9. I have been directed to The Old Hat Factory at Inkerman Road that has been converted into flats. I acknowledge that this is a tall building. In assessing what similarity that development may have to that of the proposal before me, I have not been advised whether that building was increased in height as part of its conversion. It may well be that conversion was contained within the existing form of the existing building, which would not offer any meaningful support for the proposal before me.
 10. I have also been directed to an existing 'mews' type housing developments at Sweet Briar Mews, Victoria Street and Holywell Hill situated behind existing road frontage development. However, those dwellings appear to me to be located within a very different development context to that of the appeal building and it has not been indicated whether any of the surrounding buildings are locally listed. Therefore, even if Sweet Briar Mews is largely screened by the existing two-storey development along Victoria Street and limited to glimpsed views only, the considerations pertaining to the acceptability of the height and appearance of that development will have been different to those circumstances pertaining to this appeal site.
 11. I have been pointed to residential development at Gabriel Square. It has been noted by the appellant that that development relates to a different 'character

area' within the CA as set out in the Council's CA Character Statement for St Albans CA. As such, different considerations will have applied.

12. It is highlighted that there are other tall buildings within the vicinity of the appeal site and it is contended that the proposal would not be out of keeping within the context of existing development in area. Although the proposed development may be of small scale when compared to other developments that have taken place within the CA, it still needs to be considered within its own individual context. It has been pointed out that No 141 Victoria Street has been extensively developed filling much of the land to the rear of the property. That is development very different to this proposal and does not offer support given its markedly different nature.
13. The location of the appeal site is one where the principle of residential would be accepted. I acknowledge that the existing building hosts some unsympathetic elements, such as, the external staircase and modern windows. The proposal would repeat the existing gable roof form and be constructed using matching materials incorporating traditional sash windows. The uniform arrangement and design would pick up design elements of the past history of this building as a workshop. I note that there would be no adverse impact upon adjoining occupiers' living conditions or business operations and existing trees in the area would not be affected. The proposal would also be acceptable in highway terms. Whilst these are all merits of the proposed scheme, they do not outweigh my above concerns in respect of the harm to the CA or justify the proposed development.
14. The National Planning Policy Framework (the Framework) indicates that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Given the size and scale of the proposal effecting the CA as a whole, I consider there would be less than substantial harm to the character of the CA and the proposal would neither preserve or enhance it.
15. In accordance with paragraph 196 of the Framework I must weigh the harm against the public benefit of the proposal. The development would optimise the use of a site in this city centre location by creating five additional dwellings. This would contribute to the City and District's economy and housing land supply as a small windfall site, noting that there is presently a shortfall in housing land supply. However, the contribution and benefit to the public, in my view, would be comparatively modest, and insufficient to outweigh the harm identified. With regard to the CA, I conclude that the proposed development would fail to accord with national policy that requires special attention to be given to the desirability of preserving or enhancing the character or appearance of a CA (Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990).
16. For the above reasons, I conclude that the proposed development would be harmful to the character and appearance of the area and would not preserve or enhance the character or appearance of the CA. The proposal would, therefore, conflict with Policies 69, 70 and 85 of the St Albans District Local Plan Review 1994 that seek, amongst other matters, development to have regard to the setting and the character of its surroundings and to pay special attention to the desirability of preserving or enhancing the character or appearance of CAs. This reflects the provisions of the Framework to conserve

and enhance the historic environment. In addition, the Framework sets out that the application of policies that protected areas or assets of particular importance provides a clear reason for refusing the proposed development.

Other matters

17. I acknowledge that the scheme before me has sought to address a previous refused planning application. Nonetheless, I am tasked with considering the merits of the proposal that is before me. I have also been directed to potential errors in measurements cited by the Council, however, I have made my own assessment based upon the drawings that are the subject of this appeal.

Conclusion

18. Having regard to the above findings, the appeal should be dismissed.

Nicola Davies

INSPECTOR