
Appeal Decisions

Site visit made on 23 September 2020

by Elizabeth Pleasant BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 October 2020

Appeal A: APP/B1930/W/19/3243463

The White Horse Public House, Redbourn Lane, Hatching Green, Harpenden AL5 2JP

- 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 Andrew Reid and Bithell against the decision of St Albans City & District Council.
 - The application Ref 5/19/0113, dated 16 January 2019, was refused by a notice dated 12 July 2019.
 - The development proposed is described as: 'To retain, renovate and extend the listed existing public house in a sensitive manner which includes the demolition of existing non-original parts, the construction of a single storey extension to the public house, construction of two new buildings to the rear (part single, part two storey) within the car park element of the site in order to provide on-site accommodation (15 rooms) and associated landscaping and car parking alterations.'
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Appeal B: APP/B1930/Y/19/3243553

The White Horse Public House, Redbourn Lane, Hatching Green, Harpenden AL5 2JP

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr Andrew Reid and Bithell against the decision of St Albans City & District Council.
 - The application Ref 5/19/0220, dated 16 January 2019, was refused by a notice dated 12 July 2019.
 - The works proposed are described as: 'To retain, renovate and extend the listed existing public house in a sensitive manner which includes the demolition of existing non-original parts, the construction of a single storey extension to the public house, construction of two new buildings to the rear (part single, part two storey) within the car park element for the site in order to provide on-site accommodation (15 rooms) and associated landscaping and car parking alterations.'
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Decisions

Appeal A

1. The appeal is dismissed.

Appeal B

2. The appeal is dismissed.

Procedural Matter

3. The description of the works in Appeal B is taken from the application form. However, it is only the works to the White Horse Public House that require listed building consent and not the proposed new buildings which would provide on-site accommodation to the rear (15 rooms), or landscaping and car parking alterations. I have dealt with the appeal on that basis.

Main Issues

4. The main issues in both appeals is whether the proposed development and works would preserve the special architectural and historic interest of the listed building known as the White Horse Public House, and the extent to which it would preserve or enhance the character or appearance of Harpenden Conservation Area (CA).

Reasons

Heritage Assets

5. Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) require special regard to be had to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses. Section 72(1) of the Act requires special attention to be paid to the desirability of preserving or enhancing the character and appearance of the conservation area.
6. The White Horse Public House (PH) fronts onto Redbourn Lane within Hatching Green and is a Grade II listed building. It originates from at least the 17th Century, is timber framed with an L-shaped plan and the projecting 18th Century two-storey rear range is filled with red brick noggin. A later projection has been inserted at ground floor level to the front block with more recent extensions to the east of the building and to its rear. From the evidence before me, including the List Description, Heritage Statement¹ (HS) and my own observations, the significance of the PH as a heritage asset is largely derived from its age, historic use and architectural features. Those features include, timber framing and some original joinery, all of which contribute to the significance to the heritage asset.
7. The PH is also situated within Harpenden Conservation Area and identified in the Council's Conservation Area Character Statement, adopted 2008 as part of Identity Area N – Hatching Green. The PH is probably the oldest property in Hatching Green which is characterised by a mix of detached, semi-detached and terraced houses grouped around the small green which lies to the north of Redbourn Lane. The surrounding area is generally comprised of larger detached dwellings set within generous plots. The area's spacious and verdant character contribute to the significance of the CA and also to the setting of the PH.
8. The works to the PH include the demolition of some later additions to the rear of the property and an outbuilding. The proposal then seeks to provide new kitchen and dining facilities in a new building to the rear of the PH, and this would be linked to the property by a glazed walkway. The walkway would also be utilised as a conservatory /dining area. In addition, alterations are

¹ Heritage Statement Prepared by Icen Projects, dated January 2019.

sought to the interior of the building. In particular, there would be a change in the layout of uses within the building which in turn would result in alterations to the external appearance of the two existing dormer windows. The dormer windows are located within the front roof slope of an existing extension to eastern side of the original PH.

9. As described above, the new kitchen and dining facilities would be located in an extension to the rear of the PH and linked to it by a new covered glazed conservatory/walkway. The extension would be single storey in height and its design is such that it would appear as two separate, but abutting buildings, slightly staggered and each with a pitched roof. The proposed roof structure would help to reduce the overall mass of the building and this consideration would be reinforced by the use of different facing materials for the external walls of each half of the building. The materials of external construction would include pantiles to the roof and a mixture of red brick and weatherboarding to the walls, reflecting the pallet of materials utilised in the existing PH.
10. The footprint of the proposed extension is extensive. However, given the degree of visual and physical separation it would have from the original PH, its design, form and massing as I have described above, it would not be a disproportionate addition. The proposed layout would create a courtyard at the rear of the PH which would provide some intimacy between the extension and the PH. However, the extension would not impinge on views of the PH from Redbourn Lane and nor would it have a harmful impact on the PH's verdant and spacious setting.
11. However, I share the Council's concern regarding the impact the glazed link would have on the historic fabric of the PH. As identified above, the timber framing makes an important contribution to the significance of this heritage asset. It is therefore imperative that the proposed glazed link would not result in any harm to the historic fabric of the PH. Whilst the removal of the 2005 extension provides an opportunity to better reveal the eastern elevation and timber framing on the two-storey rear range, the proposed glazed link would be a substantial structure. Without a clear understanding of how that structure would be supported and affixed to the building, it is not possible to conclude that the historic fabric would not be harmed. In the light of the building's significance, great care is required in the design of an extension such as that proposed. I have taken into account the supporting information provided by IQ Glass. However, this lacks the detail that would be required to demonstrate that the extension would not have a harmful impact on the timber framed host building, particularly in relation to preventing water penetration. In the circumstances, involving change to a listed building, a precautionary approach is justified, and I consider that the shortcomings in the submitted scheme cannot be satisfactory resolved by the imposition of a condition. It has not been demonstrated that the glazed link would preserve the listed building or its features of special architectural and historic interest.
12. The proposal includes works to the front dormer windows in the PH. These dormers are not part of the original building, but form part of an extension to the building which took place in the mid-20C. The proposal would not alter the width or roof form of these dormers but would lower the cill height such that the windows in the dormers would have more of a vertical emphasis.

The existing windows in the dormer do not in my view contribute to the significance of the listed building. The width of the frames and their glazing arrangement is at odds with the fenestration in the original building, including its later front projection. The proposal to lower the height of cills would not be a disproportionate alteration to the dormers and in my view would provide an opportunity to introduce a style of window which would better reflect the building's original joinery. Furthermore, lowering of the cills and utilising this part of the building for dining, would allow views into the building and provide a more active element to this part of the front elevation. Overall, I am satisfied that had the works to the listed building been acceptable in all other respects, then subject to a condition to require details of the joinery to be agreed, the alteration to the dormer windows would preserve the special architectural and historic interest of this listed building.

13. The existing PH is situated in a large plot. There is a substantial gravel car parking area to the side of the PH and the rear half of the site is laid out as garden and utilised as an informal outdoor seating area. The car park is framed by a hedge, and the garden area has a number of mature trees within it and along its boundaries. The spacious and sylvan appearance of this part of the plot contributes to the character and appearance of the CA and to the setting of the PH.
14. The proposed accommodation (15 rooms) would be built within the garden and part of the car parking area. It would comprise two buildings which would be laid out roughly in a 'U' shape and range from one to two-storeys in height. They would be faced in a mixture of weatherboarding and brick with pantile covered roofs to match the PH. I understand that the design and layout of the accommodation has taken reference from modern agricultural buildings with the use of timber cladding and a simple form, as well as seeking to reinstate an historic relationship between the PH and ancillary buildings that previously existed on the site.
15. From the evidence before me, including the HS and Design and Access Statement which accompanied the planning application, it is clear that whilst there is some evidence of other buildings having once been on the site, those buildings were confined to the south western corner of the site with the remainder of the site appearing to be undeveloped and possibly an orchard. Although there are now no trees where the car park has been created, the site retains its sylvan appearance from the trees within the garden area and along the site boundaries.
16. The Tree Survey and Arboricultural Impact Assessment (AIA) submitted with the appeal documents² advises that four of the twenty trees and four groups which were surveyed would need to be removed to allow for the implementation of the scheme. These would include the loss of the established hedgerow which frames the car park. In addition, due to the proximity of the parts of the new buildings to the north and western boundaries of the site, five other trees would be likely to face a moderate impact on their long-term health, and the impact on the remaining trees/groups has been identified as slight or negligible. The existing trees are an important characteristic of the CA and provide a sylvan backdrop to the PH

² Arboricultural Survey, Corylus Planning & Environmental Ltd, November 2019

which contributes to its setting. The proposal would not only result in the loss of some mature trees to facilitate the development, but taking into account the conclusions of the AIA, there would almost certainly be a further impact on the future health of a significant number of the retained trees. Moreover, the scale of the proposed built form within the existing open garden area and towards the rear of the site, would not only result in the loss of important trees, but also obscure views of those remaining trees from Redbourn Lane and further diminish the contribution that they make to the visual characteristics and appearance of CA. I recognise that the proposed landscaping scheme would provide replacement planting with new trees and hedgerow planting. However, it would take many years for those new trees to mature and they would not mitigate the impact the new accommodation would have on the existing sylvan character and appearance of the site.

17. I have taken into account the perspective “frame” which was included within the appellant’s final comments and I appreciate that with the positioning of Barn 2 towards the rear of the site, it is unlikely that its ridge height would be seen in direct comparison with the ridge of the PH when viewed from Redbourn Lane. However, Barn 2 would be a substantial building. Albeit it would have a relatively simple form, its bulk and mass would be imposing and taken together with the other new accommodation, would significantly alter the spatial and visual characteristics of the site. The configuration of the new buildings would introduce a formal layout of development within the site and would result in a consolidated built form over a substantial proportion of it. The extent and concentration of that built form would be in stark contrast to the spatial characteristics of the existing site, where the PH is very much the focal point. Furthermore, those buildings that previously existed on the site were singular, and from the evidence I have before me did not dominate the site or the PH. The site’s existing spacious and verdant qualities provide a level of tranquillity which contributes to the significance of the heritage assets. There is no doubt in my mind that with the level of development proposed that tranquil quality would be diminished.
18. From my own observations on my site visit the appeal proposal as a whole would not respond to spatial or visual characteristics of the area and would have a harmful impact on the significance of the PH and character and appearance of the CA.
19. Paragraph 193 of the National Planning Policy Framework (the Framework) advises that when considering the impact of development on the significance of designated assets, great weight should be given to their conservation. It goes on to advise that significance can be harmed or lost through the alterations or destruction of those assets.
20. Whilst some aspects of the proposed works would individually constitute minimal or negligible impact on the significance and special interest of the listed building, the cumulative effect of these works and impact of the proposed scheme would have a harmful effect on the special interest of the building and fail to preserve or enhance the character and appearance of the CA. In the context of the significance and special interest of the asset as whole, and the language of the Framework, the harm would be less than substantial. Because the harm is less than substantial, paragraph 196 of the

Framework says that this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

21. The proposed alterations to the dormer windows and demolition of the later extensions would provide some visual enhancement to the appearance of the building and the CA which would be a public benefit. However, this would be a very modest change to the appearance of the building and the area as a whole, and the public benefits would not be significant. The PH is currently a popular pub and makes a valuable contribution to the community of Hatching Green. Whilst it is clear that the proposed works would enable improvements to be made to the kitchen and dining facilities, allow expansion and provide overnight accommodation which would be a public benefit, I have not been provided with any substantive evidence that would demonstrate to me that the PH is currently not viable and that the contribution that it currently makes to the community is at risk.
22. The proposal would fail to preserve the special architectural and historic interest of the Grade II listed building and the character and appearance of Harpenden Conservation Area. Even though I have found that the harm to the designated heritage assets is less than substantial, it is not to be treated as a less than substantial objection to the proposal. The public benefits attributable to the proposal would not outweigh the considerable importance and weight to be given to the harm to the heritage assets.
23. I conclude that the proposal would fail to satisfy the requirements of the Act, paragraph 192 of the Framework and would conflict with the design and heritage aims set out in Policies 69, 85, 86 and 99 of St Alban's District Local Plan Review 1994 (LP) and Policies ESD1 and ESD2 of the Harpenden Neighbourhood Plan 2018-2033 (NP), which seek to ensure, amongst other things, that new development, including overnight accommodation and ancillary facilities, does not harm the character or appearance of conservation areas and that the Council will have special regard to the desirability of preserving a listing building or its setting or any features of architectural or historic interest which it possesses. I also find conflict with Policy 74 of the LP and Policy ESD14 of the NP which seek to ensure, amongst other things, that development proposals protect existing healthy mature trees.

Conclusion

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

Elizabeth Pleasant

INSPECTOR