



Appeal Decision

Site visit made on 22 March 2022

by William Cooper BA (Hons) MA CMLI

an Inspector appointed by the Secretary of State

Decision date: 24th March 2022

Appeal Ref: APP/B1930/W/21/3283879

Moat House Apartments, 25 King Edward Place, Wheathampstead AL4 8FJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 as amended against a refusal to grant planning permission.
 - The appeal is made by Mrs Laverick against the decision of St Albans City Council.
 - The application Ref: 5/2021/2076, dated 14 July 2021, was refused by notice dated 7 September 2021.
 - The development proposed is erection of 1.2m high estate metal fencing with a pair of matching gates 3m wide.
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Decision

1. The appeal is allowed and planning permission is granted for erection of 1.2m high estate metal fencing with a pair of matching gates 3m wide at Moat House Apartments, 25 King Edward Place, Wheathampstead AL4 8FJ in accordance with the terms of the application, Ref: 5/2021/2076, dated 14 July 2021, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved drawings: Site Location Plan; Block Plan; Existing Dwg No BP1; Proposed Dwg No Bp2; Drawing No MH9.
 - 3) The external surfaces of the development hereby permitted shall be constructed only of materials, the type and colour of which match exactly those shown on the approved plans and detailed within section 7 of the application form.

Preliminary Matter

2. As the proposal is in a conservation area and relates to the setting of listed buildings, I have had special regard to sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issue

3. The main issue in this case is whether the proposal would a) preserve or enhance the character or appearance of the Wheathampstead Conservation Area (CA), and b) preserve the setting of the Grade II listed 'Garden Walling at Helmets Limited Registered Office and Moat Cottage'.

Reasons

4. The appeal site is located within the CA, on land to the west of High Street. The CA is focussed around the historic spine of High Street, Hill Street and Station Road, in the centre of Wheathampstead village. Sloping pleasingly down towards the river, the High Street has the Grade I listed Church of St Helen, and its churchyard at its heart.
5. The appeal site comprises a two-storey apartment block and its garden and carparking areas. It is situated within the substantial, early nineteenth century red brick wall perimeter of a space that was the walled garden of the Grade II listed former vicarage. Parts of the perimeter wall, including its western stretch which in part bounds one edge of the Moat House's gardens, has a serpentine line, and thus 'crinkle crinkle' style. The listed wall's length, crinkle crinkle style, height of up to around 3m and weathered patina together contribute to its eye-catching historic architectural presence.
6. The former vicarage's garden space has an evolved character, with much of it now occupied by residential properties of various age. These comprise the following. The listed former vicarage building dates from the sixteenth century, with nineteenth century brick casing and charismatic tiled pitched roof profile. Having been offices, it is a residence again. The former vicarage, and the twentieth century bungalow to the south are noticeably bounded by stretches of closed-boarded timber fencing, that go some way to subdivide the space with modern suburban style material. While the appeal property is a 'heritage style' residential block, it is legibly a recent building, with its apartment function and residents' carpark. To some extent, the carpark access draws the eye out of the site, looking from the community garden.
7. The area adjoining the south of the appeal site is a community garden with elements including radiating crescent-shaped hoggin-style pathways, sensory planting, memorial benches and timber pergola. This tranquil outdoor community space reads as a fusion of contemporary and traditional landscape influences, adding to the evolved character mix in this part of the CA.
8. This variety of elements contributes to the evolved character of the former vicarage garden space. While this space has somewhat fragmented over time, the historic architectural charisma of the listed crinkle crinkle walling and former vicarage, and the nearby church is still eye-catchingly authoritative. Furthermore, the verdant, and in parts sylvan outdoor spatial identity of the combination of the churchyard, community garden and public greenspace to the north-west is a distinctive characteristic of the area at the heart of the CA, west of the High Street.
9. Given the above, I consider the special interest of the listed garden walling, insofar as it relates to this appeal, to be primarily associated with the historic legibility of their traditional Hertfordshire village centre architecture. This contributes to the CA's significance, which lies in the townscape that reflects Wheathampstead village's evolution from the sixteenth to the nineteenth century.
10. The proposal would entail a stretch of 1.2m high metal estate style railing between the south-eastern corner of the Moat House's residents' carpark and the community garden. Adjacent to a stretch of garden hedging, it would bring

an additional dividing element to the space, in the vicinity of the listed garden walling.

11. However, that said, within the context of the evolved, varied character of the former vicarage's garden space, the railing would read on the ground as a relatively modest 'light touch' addition of largely visually permeable, sufficiently heritage-style, railing, that would logically visually punctuate the boundary of the more recent apartment development and the community garden. Visually, it would have a minor positive steadying effect, helping the eye focus more within the garden walls, and unifying the evolved character components slightly more harmoniously. Also, the inclusion of gates within the railing would provide for access between the spaces.
12. Consequently, the visual primacy and historic charisma of the listed garden walling, and its articulation of walled garden identity would endure. As would the architectural charisma of the nearby listed former vicarage and the church, and the local outdoor spatial identity. This endurance of local character would be noticeable from various viewpoints within the CA, at and on approaches to the appeal site and community garden.
13. I appreciate the Council's intention to avoid harmful diminution of the impression of the former vicarage garden surrounded by the characterful crinkle crinkle walling. For the reasons described above, I find that the proposed railing would not be a harmfully distracting subdivision of the space.
14. In conclusion, the proposal would have a neutral effect on the setting of the listed garden walling, and would preserve its significance. It would also preserve the character and appearance of the CA. As such, the proposed development would accord with saved Policies 69, 85 and 86 of the City and District of St Albans District Local Plan Review 1994, which together seek to ensure that, among other things, development complements local context and conserves the historic environment. Furthermore, the proposal would accord with the approach of the Framework, taking account of the desirability of sustaining and enhancing the significance of heritage assets, with great weight given to the asset's conservation.

Conditions

15. The conditions suggested by the Council have been considered against the tests of the Framework and advice provided by Planning Practice Guidance. I have found them to be broadly reasonable and necessary in the circumstances of this case. I have made some minor drafting changes to suggested conditions in the interests of precision. Conditions relating to the duration of permission and approved plans are necessary to provide certainty. A condition relating to materials is attached to safeguard the character and appearance of the area.

Conclusion

16. The proposed development would adhere to the development plan and there are no other considerations which outweigh this finding. Accordingly, for the reasons given, the appeal succeeds.

William Cooper

INSPECTOR