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## Appeal Decision

Site visit made on 17 May 2022

**by Michael Boniface MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 16<sup>th</sup> September 2022**

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**Appeal Ref: APP/B1930/Y/21/3285581**

**Heath House, 9 Harpenden Road, St Albans, AL3 5LL**

- 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 & Mrs Ferguson against the decision of St Albans City & District Council.
  - The application Ref. 5/21/0301LB, dated 19 January 2021, was refused by notice dated 27 April 2021.
  - The works proposed are an oak framed garden room extension with roof lantern.
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. As the proposal is in a conservation area and relates to a listed building I have had special regard to sections 16(2) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
3. The Council's decision notice suggests that the proposed works are expected to result in substantial harm to the listed building but it has since confirmed that this was an error and the Council instead categorises the harm as less than substantial in the terms of the National Planning Policy Framework (the Framework). I have considered the appeal on this basis.

### Main Issue

4. The main issues are whether the proposal would preserve a Grade II listed building, 9 Harpenden Road, and any of the features of special architectural or historic interest that it possesses; and the extent to which it would preserve or enhance the character or appearance of the St Albans Conservation Area.

### Reasons

#### *Listed building*

5. 9 Harpenden Road, known as Heath House, is a Grade II listed building constructed in the early C19. When built, its principal elevation and main entrance faced Harpenden Road which presents a well-ordered frontage with central doorway and sash windows. Together with its brick detailing, slate roof and substantial chimney stacks, it is an attractive property with significant architectural merit.

6. Notable alterations have occurred to the building over the years with large extensions having been built on either side, and more recently, outbuildings have been converted to accommodate two flats. This has seen the subdivision of the garden space to the south of the building with tall boundary walls and the creation of new entrances and porches accessed from Townsend Drive, creating a distinct entrance to the flats. Furthermore, a vehicular access to Heath House is available from Townsend Drive, which now appears to be used as the main entrance to the property, via a long driveway and garden area to the northwest of the building. The original form of the building has been diminished somewhat.
7. The elevation upon which the proposed garden room would be located is a secondary elevation largely contained within a private garden space and seen in the context of the now separate flats from the public realm. The long sweeping plan form of the building, created by the sizeable extensions and the latter incorporation of its outbuildings is evident from Harpenden Road and Townsend Drive despite the tall boundary walls and landscaping currently in place. The garden room would be a significant addition that would appear somewhat at odds with the linear form of the building, notwithstanding the small porches now serving the flats on this elevation. Its flat roof design would not reflect the predominantly pitched roof listed building.
8. The appellant's own evidence suggests a limited or negligible degree of harm to the listed building and I would not disagree with this characterisation given the scale of the proposed extension, its location and context. The harm would be less than substantial in the terms of the Framework but is nevertheless of considerable importance and weight when seeking to conserve heritage assets.
9. Whilst the private benefits of the scheme are noted, including increasing the space in a family home, no public benefits would arise from the development that could be weighed against the identified harm. The property is already in residential use and there is no suggestion that this would cease, and it cannot be expected that ongoing use would be jeopardised in the absence of the proposed garden room.
10. The fact that other buildings in the local area have been allowed garden rooms by the Council and that other listed buildings are commonly extended or altered has little bearing on my conclusions in this appeal, which has been considered on its own merits.
11. On balance, I conclude that the proposal would fail to preserve the special historic interest of the Grade II listed building, thus failing to satisfy the requirements of the Act, paragraph 197 of the Framework and development plan policies insofar as relevant.

#### *Conservation area*

12. The special character of the area is diverse reflecting both the changing historical development and the diverse range of building types and styles. However, there is some uniformity of materials, and trees and landscaped areas also make a significant contribution.
13. The appeal property is a small component of the St Albans Conservation Area and one of only a few listed buildings located in a prominent position on Harpenden Road, a principal route. In this case, much of the proposed

extension would be screened from public view behind the existing boundary treatments. Whilst the top section, including the glazed lantern might be glimpsed, it would be very modest in scale and seen in the context of other modern extensions and alterations. As such, it would not detract from the character or appearance of the conservation area, considered as a whole, which incorporates a vast mix of buildings and styles.

14. As a result, the proposal would preserve the character and appearance of the St Albans Conservation Area, thus satisfying the requirements of the Act, paragraph 197 of the Framework and development plan policies insofar as relevant.

### **Conclusion**

15. While the works would not harm the character or appearance of the conservation area, they would unacceptably harm the special historic and architectural interest of the listed building.
16. In light of the above, the appeal is dismissed.

*Michael Boniface*

INSPECTOR