
Appeal Decisions

Site visit made on 30 July 2025

by **L J O'Brien BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 29 September 2025

Appeal A Ref: APP/B1930/W/24/3358146

23 George Street, St Albans, AL3 4ES

- 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 Skytop Ltd against the decision of St Albans City Council.
 - The application Ref is 5/23/2237.
- The development proposed is change of use of part of East Wing from retail to residential.
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Appeal B Ref: APP/B1930/Y/24/3358147

23 George Street, St Albans, AL3 4ES

- 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 Skytop Ltd against the decision of St Albans City Council.
 - The application Ref is 5/23/2275/LB.
 - The works proposed are change of use of part of East Wing from retail to residential.
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Appeal A Decision

1. The appeal is dismissed.

Appeal B Decision

2. The appeal is dismissed.

Preliminary Matters

3. Both appeals relate to No 23 George Street, St Albans which is a Grade II listed building¹, situated within the St Albans Conservation Area (CA). The description of development and works is the same for both proposals and the issues within the appeals are similar. As such I have dealt with them within the same Decision. I have, however, set out two separate formal Decisions.
4. As required by sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), I have had special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses and paid special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
5. The National Planning Policy Framework (the Framework) was updated in December 2024, during the consideration of these appeals. Insofar as is directly relevant to the appeals, there are no substantive changes and no parties have been prejudiced as a result.

¹ National Heritage List for England Entry Number: 1296347

Main Issue

6. The main issue in these appeals is whether the proposals would preserve the listed building or any features of special architectural or historic interest which it possesses.

Reasons

Special interest and significance

7. No 23 George Street is a Grade II listed timber framed building. The evidence before me indicates that the building as it stands today has been developed and added to over time. The original buildings on site are considered to date from circa 1500 with later additions and 19th Century brick renewal and shop fronts. The building is a two-storey mid-terraced property with a carriageway and courtyard through the centre of the building.
8. From the evidence before me, the special interest and significance of the listed building are mainly derived from its architectural and historic interests. Important contributors in these respects are its use of traditional methods of construction and materials, surviving historic fabric and pleasing architectural form and design, including key features and detailing.

Effects of the proposals

9. The proposals are both described as the change of use of part of the first floor of the east wing of the building to provide a one-bedroom flat. both parties appear to be in agreement that internal alterations, including demolition/removal of fabric, have been undertaken to the building without the benefit of listed building consent. As decision maker I am required to assess the scheme as a whole, having regard to the aforementioned statutory duties. That some of the alterations may or may not have been carried out by a previous owner/occupier carries little weight in the determination of the appeals.
10. Even so, the evidence before me is unclear as to what development and works precisely have been undertaken, what the situation prior to those alterations having been carried out was or the specifics of the proposed development/works. Additionally, the description in respect of both appeals does not provide any detailed explanation as to exactly what the proposals before me entail.
11. It is imperative that proposals are accompanied by accurate and unambiguous drawings and specifications of sufficient detail to illustrate and/or describe the proposed works in order to avoid any uncertainty over the extent of what is proposed, and to allow a robust assessment of any consequent effects. In this instance, the evidence before me does not clearly define the scope and detail of what is to be considered as part of the current scheme.
12. The lack of drawings and detailed specifications for the different elements of the proposal, along with the uncertainty over the previous alterations including the door, cast doubt over the individual designs, subsequent appearances and works involved in their construction. Setting aside any views I may have on the planning and conservation merits of the proposals, the specific details before me are not sufficient to enable a robust judgement to be reached regarding the potential effect of the proposals on the heritage asset and, consequently, I cannot be certain that they would preserve the listed building and not cause harm to its significance. This is highly undesirable in general terms, but especially given that the property is a Grade II listed building where great weight is given to the conservation of this designated heritage asset.
13. I note that the appellant has suggested that conditions could be attached requiring further details to be approved. However, such details go to the heart of the proposals and I cannot be

certain that conditions would be an effective mechanism for making the proposal acceptable. Without evidence to the contrary I must take a precautionary approach in the interests of preserving the listed building and ensuring that any conditions imposed would meet the tests set out by the Framework. Consequently, such conditions would not be suitable.

14. I acknowledge that the Council accept that the conversion of part of the first floor into residential accommodation would not be unacceptable in principle. Indeed, on the basis of the evidence before me I concur that, in principle, the potential exists for an acceptable scheme to be devised that would secure the conversion of this part of the building, whilst preserving its special interest and not harming its significance. However, for the reasons set out above I am unable to properly assess whether the proposal would preserve the Grade II listed building or any features of special architectural or historic interest which it possesses.
15. Consequently, I cannot reasonably determine whether the proposal would meet the requirements of sections 16(2) and 66(1) of the Act. Similarly, I cannot conclude with any certainty that the proposal would accord with Policy 86 of the St Albans District Local Plan Review 1994. This policy sets out that in considering any application for listed building consent, or for planning permission which affects a listed building, the Council will have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest it possesses.

Other Matters

16. The appeal site is situated within the St Albans Conservation Area (CA). The site is within the Commercial Centre area of the CA and its character and appearance, and thus its special interest and significance, stem, in part, from its position at the heart of the original town and its many historic and cultural layers, along with the architectural quality and variety of its historic buildings. The appeal property possesses positive qualities which contribute to the character and appearance of the CA as a whole and thus to its significance as a designated heritage asset. The proposals would not result in notable changes which would alter the contribution made by the property to the significance of the CA. As such, on the basis of the evidence before me I consider that the proposals would preserve or enhance the character or appearance of the conservation area.
17. I note that the Council cannot demonstrate a five year housing land supply. On this basis, having regard to footnote 8 of the Framework, paragraph 11(d) is triggered. Nonetheless, with reference to footnote 7 of the Framework, given my conclusions above, the application of policies in the Framework that protect areas or assets of particular importance, which includes designated heritage assets, provides a strong reason for refusing the proposals.

Conclusion

18. For the reasons set out above the appeals are dismissed.

L J O'Brien

INSPECTOR