

ITEM NUMBER: 5d

24/00644/LBC	Construction of new dwelling and garage, boundary wall and associated parking.	
Site Address:	64 High Street, Markyate, St Albans, Hertfordshire, AL3 8HZ	
Applicant/Agent:	MR & MRS GOWER	MR Malcolm Doherty
Case Officer:	Briony Curtain	
Parish/Ward:	Markyate Parish Council	Watling
Referral to Committee:	Previously refused by Members	

1. RECOMMENDATION

That listed building consent be GRANTED

2. SUMMARY

2.1 The application is recommended for approval.

3. SITE DESCRIPTION

3.1 The application site is located within the large village of Markyate and is to the southwest of the High Street. The site is situated to the rear of Grade II Listed Buildings set within the Markyate Conservation Area and an area of archaeological significance. It contains a group of Yew Trees which are subject to Tree Preservation Orders. The trees are to the south of the site separating the site from the parking area to properties along Buckwood Road (North Court).

4. PROPOSAL

4.1 Listed Building Consent is sought for the subdivision of the existing plot to include the construction of a detached dwelling. A new rear wall adjacent to the proposed vehicle access to the new dwelling would be attached to the listed building and is the reason for this application as this element requires listed building consent. The proposed building would be sited to the rear of the plot, has an 'L' shaped form and is to be constructed in brick with a small plain tile roof. The dwelling is one and a half storeys and has a link attached garage to the west. A driveway provided access from the main High Street via the existing archway and the garden of No. 64 will be divided to provide amenity space for both the existing dwelling (No. 64) and the proposed dwelling. Parking is provided for the new and existing properties.

4.2 This application is accompanied by planning application 24/00643/FUL.

5. BACKGROUND

5.1 This application follows numerous previous planning applications on the same site. Permission 4/01743/13/FUL was allowed at appeal (APP/A1910/A/14/2220655) and granted consent for a detached dwelling in an identical position and of an identical design to that currently proposed. This application is essentially a resubmission of the allowed appeal scheme. The wall now proposed to subdivide the plots means listed building consent is required.

5.2 It should also be noted that since the allowed appeal planning permission and listed building consent have been granted for the construction of two dwellings on the site (ref 21/01335/FUL & 21/01336/LBC) but these have not been implemented. These proposals included the same wall now proposed to be attached to the listed building.

6. PLANNING HISTORY

Listed Building Applications

20/03740/LBC - Construction of two new detached dwellings and new boundary wall
REF - 5th February 2021

21/01336/LBC - Construction of two new semi-detached cottages and new boundary wall.
GRA - 9th July 2021

4/00933/02/LBC - Alterations to garage to form a utility room
GRA - 19th July 2002

4/01007/92/LBC - Rendering brick gable wall (listed building consent)
GRA - 4th September 1992

4/00496/92/LBC - Replacement of existing flat roof with pitched roof, removal of chimney stack, external & internal alts

Appeals

4/01743/13/FUL - Development Appeal
- 19th August 2014

7. CONSTRAINTS

CIL Zone: CIL3

Conservation Area: MARKYATE

Former Land Use (Risk Zone):

Large Village: Markyate

Parish: Markyate CP

RAF Halton and Chenies Zone: Green (15.2m)

Residential Area (Town/Village): Residential Area in Town Village (Markyate)

Parking Standards: New Zone 3

EA Source Protection Zone: 3

Tree Preservation Order: 454, Details of Trees: T1 Yew

Tree Preservation Order: 454, Details of Trees: T2 Yew

Tree Preservation Order: 454, Details of Trees: T3 Yew

Tree Preservation Order: 454, Details of Trees: T4 Yew

Tree Preservation Order: 540, Details of Trees: T1 Common Yew

8. REPRESENTATIONS

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

9. PLANNING POLICIES

Main Documents:

National Planning Policy Framework (2023)

Relevant Policies:

CS27- Quality of Historic Environment

10. CONSIDERATIONS

Main Issues

10.1 The main issue to consider is:

The impact of the proposals on the character, appearance and historic significance of the listed buildings.

Impact on heritage assets

10.2 The main issue of relevance to the consideration of this application relates to the impact of the proposed works on the character and appearance of the Grade II listed building at No.64 High Street.

10.3 The site comprises a Grade II Listed Building. Policy 119 of the Dacorum Local Plan (2004) states that every effort will be made to ensure that any new development liable to affect the character of a listed building will be of such a scale and appearance, and will make use of such materials, as will retain the character and setting of the listed building.

10.4 Regard has been given to the statutory tests of preserving or enhancing the setting of Listed Buildings under Sections 72 and 66 of The Planning (Listed Building and Conservation Areas) Act 1990, which it is accepted is a higher duty.

10.5 Paragraph 192 of the NPPF (2024) states that in determining planning applications, Local Planning Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets. Paragraph 193 of the NPPF outlines 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. Paragraph 195 states that where proposed development will lead to substantial harm or total loss of significance of a designated heritage asset, Local Planning Authorities should refuse consent unless it can be demonstrated that the harm is necessary to achieve substantial public benefits that outweigh the harm. Where the harm is considered less than substantial, Paragraph 196 states that this should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

10.6 The application site is concealed from the public realm with glimpses of the application site seen from High Street. No. 64 High Street is a statutory Grade II listed building, which started life as a late C16 Inn, but has been a private house in more recent years. The rear garden contains a group of Yew Trees which are subject to Tree Preservation Orders.

10.7 The proposal includes the construction of an attached boundary wall which would subdivide the site as a new dwelling is proposed to the rear. The wall would align with the side of the existing coach-way access and then project into the site. There are existing boundary walls dividing other sites.

10.8 The Council's Conservation Officer was consulted and subject to the inclusion of a condition requiring details of the materials they are satisfied that the works would preserve the character, appearance and historic significance of the listed buildings to have a neutral impact.

10.9 The proposal is considered acceptable. Regard has been given to the statutory tests of preserving or enhancing the character and appearance of Conservation Areas and the setting of Listed Buildings under Section 66 and Section 72 of The Planning (Listed Building and Conservation Areas) Act 1990, which it is accepted is a higher duty.

10.10 Taking the above policies into account, the proposed construction of boundary wall is considered acceptable in principle and would not result in any harm to heritage assets. In accordance with Core Strategy Policy CS27, Saved Policy 120 of the Local Plan (2004) and the National Planning Policy Framework (NPPF) (2024).

10.11 it should be noted that a boundary wall of identical form has already been granted planning permission and listed Building consent under applications 21/01335/FUL & 21/01336/LBC.

11. CONCLUSION

10.1 The proposed works are considered to be sympathetic to the original design and character of Grade II Listed Building at No.64 High street, protecting and conserving the integrity, setting and distinctiveness of these designated heritage assets. The proposed works would be appropriate to the scale, proportion and internal/external appearance of the Listed Building. As such, the proposed works are acceptable in accordance with the aims of the National Planning Policy Framework (2024); Saved Policy 119 of the Dacorum Borough Local Plan (2004), Sections 66 and 72 Planning (Listed Building and Conservation Areas) Act 1990 and Policy CS27 of the Core Strategy (2013).

12. RECOMMENDATION

12.1 That listed building consent be GRANTED

Condition(s) and Reason(s):

- 1. The works hereby permitted shall begin before the expiration of three years from the date of this consent.**

Reason: To comply with Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990, as amended by Section 51 (4) of the Planning and Compulsory Purchase Act 2004.

- 2. The works hereby permitted shall be carried out in accordance with the following approved plans/documents:**

**GOW/21701/SITENEW
GOW/21701/ELEV1
GOW/21701/ELEV2
GOW/21701/PLAN**

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3. No works (excluding demolition/ground investigations) shall take place until details of the materials to be used in the construction of the external surfaces of the works hereby permitted have been submitted and approved in writing by the Local**

Planning Authority. The works shall be carried out in accordance with the approved details. Please do not send materials to the Council offices. Materials should be kept on site and arrangements made with the Planning Officer for inspection.

Reason: To ensure satisfactory appearance to the works and to safeguard the visual character of the area in accordance with Policies CS11 and CS12 of the Dacorum Borough Core Strategy (2013).

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
0	0	0	0	0

Neighbour Responses

Address	Comments