

St Albans City and District Council
Assets of Community Value - Unsuccessful Nominations 14/02/2023

| ASSET INFORMATION | | | DECISION |
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| Ref No. | Asset Name | Asset Address | Reasons for Decision |
| 13-01 | Napsbury Fields - (Registered as land on the East side of Napsbury Lane, St Albans) | Napsbury Lane, St Albans | The land is fenced with access points only at the public footpath intersections. There are notices at all of the access points advising the public that the land is private and that they should keep to the footpaths. There is no evidence that this land has been legitimately used to further the social wellbeing or interests of the community, save for the use of the public footpaths. Rialto Homes are opposed to public use of the site so there is no realistic expectation that any public use will be granted over and above that which exists along the public footpaths. |
| 13-10 | Jessamine Garage | 15 High Street, Wheathampstead, AL4 8BQ | The property is a business offering a service which is not a community business – not everyone in the community needing to use or being able to afford the services of a vehicle workshop or vehicle sales forecourt. This property is not considered to currently further community purposes or to have any realistic prospect of furthering community purposes in the future as the property is subject to a business tenancy and has been used for similar business purposes for many years. |
| 13-11 | Aggregate site, former station sidings | Kingfisher Close, Wheathampstead, AL4 | The land belonging to the County Council is gated with the only access being through a small gap which is over grown. There is no evidence of community use. The other parcel of land is fenced off and used by a tenant for grazing sheep and goats. The community at large cannot access the land or benefit from it. It is difficult therefore to see how it can further social interests or social wellbeing. |
| 13-13 | Fire Station | Marford Road, Wheathampstead, AL4 | The main purpose of the building is for storage of the fire engine and for use by the retained firemen not as a publicly available asset. One room within the building is used about once every 3 months for Neighbourhood Watch meetings with the Community. |
| 13-22 | The Beacon | 26 King Harry Lane, St Albans, Herts, AL34AU | The primary purpose of the asset is for residential care for people recovering from mental illness. It is not considered to be a benefit for the local community since the community facilities within the building are for the use of residents. |
| 13-26 | Marian Hall | 29 Townsend Drive, St Albans, AL3 5RF | The area proposed for listing is largely residential in nature for the benefit of the sisters who lived there. Only a relatively small part of the property was given over to occasional community use. It is not therefore considered that this property meets the criteria. |
| 13-27 | Westfield News | 35 Abbey Avenue, St Albans | This property is not considered to meet the set criteria. It is part of a parade of shops with flats above, rather than a village shop. Waitrose and the City Centre are close by. The shop no longer has a post office. |
| 13-27 | King Offa Public House | Wallingford Walk, St Albans, AL1 2JJ | Although this property has the potential to be an important hub for the community, potential is specifically excluded from the criteria. The property is a public house and although other public houses have been listed by other councils, this property is not considered to be of important local social benefit currently. There is no evidence to suggest the community uses the pub for social functions. It is not a 'village' pub that is the heart of the community, being located in a Housing Estate close to the city centre. It is not well used currently and has been in decline for a number of years. In the circumstances it is not thought to fulfil the criteria. |
| 13-27 | King Offa Public House | Wallingford Walk, St Albans, AL1 2JJ | The primary use of the asset does not further and has not in the recent past furthered the local community's social wellbeing or interest ... Although the property is a public house and other public houses have been listed by other councils, this property is not considered to be of important local social benefit. Despite references in the nomination to community events, there is no evidence that these community events were held and supported by the community. Further, a Google search does not provide evidence to support the provision of the events and family days. While there is some evidence that darts was played at the pub, the site inspection did not identify community noticeboards and similar to support the suggestion that the pub is used as a base for sports teams. The pub has not been well used and has been in decline for a number of years. The pub has not been refurbished for a long time. A nomination for listing was previously rejected in 2013. Since then, the main change has been in the closure and stripping out of the pub, which does not increase its community purpose. There is potential for there to be a community hub in this location, a defined housing estate within St Albans, however potential is specifically excluded from the criteria. |
| 13-27 | SPEC Retreat Centre | Shenley Lane, St Albans, AL21AF | The facility has been closed since May 2014. The main use of the building was a religious education centre providing residential courses to catholic schools at both primary & secondary level. It was used by schools that came within the boundary of the Diocese of Westminster - Hertfordshire, Middlesex & London Boroughs. In part of the building there was a self contained flat used by the family of the staff member that ran the facility plus residential accommodation for other staff members. Since the closure, this use is now provided from a property at Pinner and therefore this use is still available. We are advised that the facility was not available to be used by the local community but may have been used by schools in Hertfordshire to provide educational courses as part of the school curriculum. We do not consider that the building was used for community purposes - it was specific in its use as a residential educational facility. In addition the use is no longer continuing in this property but is still available at an alternative venue. In any event, we do not believe it is realistic to consider the use will become available again in this property for the next 5 years. It has also been earmarked for residential development and there is no reason to believe that the owners will offer it for community use whilst they are going through the planning process. Consequently we do not believe it fits the criteria. |
| | Chantry Chapel (Compter Chapel) | Shenley Lane, London Colney | 1. The asset is not currently used for community purposes. It has been deconsecrated for approximately 3 years and is in a poor state of repair. 2. The previous use was a place of worship for residents of the retreat and visitors to it. It was not a local community chapel. 3. The chapel is part of a larger asset. It is accessed via Alban House, a private language school, which is included in the nomination plan but is not referred to as being part of the asset. 4. The nomination refers to the chapel as being part of Chantry Island. However the Island is a 5 minute walk away and is marked as Private. It is also not included in the nomination plan. 5. The chapel is accessed via a long gated driveway which accesses a closed or privately leased facility. From the road way it appears to be private not open to the public. There is nothing to suggest that the chapel has been used as a community asset or gives any benefit to the community now or in the recent past. Neither is there any evidence or suggestion that it is likely to be reinstated as a chapel let alone a chapel for public use. |
| | All Saints Pastoral Centre | All Saints Pastoral Centre, Shenley Lane, London Colney, Herts. AL2 1AF | Invalid nomination form We are only permitted by law to consider land as an asset of community value (ACV) if the nomination has come from a valid organisation. Until we can establish that the nominating organisations fall within section 89 and paragraph 5 we cannot consider the nomination. This current nomination is invalid because one of the nominating organisation does not fall within the criteria in section 89 and as such it cannot be considered. |
| | Harpenden Memorial Hospital & Red House (including the Stewarts) HD413881/HD413878 | Harpenden Memorial Hospital, Carlton Road, Harpenden, AL5 4TA | 1. Although parts of the building are used to further the social wellbeing of the community (e.g. podiatry, retinal scanning) a large part of the Memorial Hospital is closed off and is a dangerous structure. 2. The whole of the first floor and some ground floor rooms are offices used by NHS Trust staff from all over the County and not necessarily in connection with the few remaining services operating out of the Red House. The clinical parts of the building are now ancillary to the administrative. 3. The main Red House building used to house a hospital with surgical facilities and could have been said at one time to further the social wellbeing of the community. However the condition of the building is poor and to bring it up to current standards for clinical care is likely to cost in excess of £4m - this is a huge amount of money, in addition to the cost of purchasing the asset and maintaining it as a similar facility. It does not therefore seem realistic that it could ever become a community hospital again. 4. The Stewart building is an in-patient mental health centre for the elderly. This is separately owned and managed to the main Harpenden Memorial Hospital. It is only one quarter of the site nominated for listing. |
| | The Baton | The Baton, 334 The Ridgeway, Marshalwick, St. Albans AL4 9RJ | The primary use of the asset, now or in the recent past, furthers the local community's social wellbeing or interest in that it provides a meeting space for residents to socialise. There are pool tables and a dart board (the Baton has a darts team which is part of a competitive league) and 5 TVs showing sports matches etc. There is also evidence that the pub has live music and community events. The pub is let to a publican on a month by month basis. Although this asset currently fulfils the criteria, planning permission has been granted to redevelop the site. That the pub is allowed to continue on a month by month basis only, suggests the owner has plans to implement the planning permission in the near future. I do not therefore consider it realistic to assume the property will continue to be used to further the interests of the community. The case of Spirit Pub Co Ltd (The Tumbledown Dick PH) CR/2013/0003 is relevant to my decision not to list this asset. In the Spirit case there was an agreement that predated the listing which saw the ownership change from the Spirit Pub Co Ltd to MacDonalds. MacDonalds had obtained planning permission and therefore the Judge determined that the future of the pub was known and return to a PH or other community uses are not realistic (paragraph 10). This appeal was dismissed as there was no realistic prospect, given that planning permission was already granted, of any other use. |
| | Wynches Farm | Land adjacent to 1-6 Wynches Farm Drive, St Albans, AL4 0XH | The primary use of the asset does not further and has not in the recent past furthered the local community's social wellbeing or social interest. I note that the land is an area of open space, but the evidence provided by the nomination group shows limited current use by the local community. The nomination group has not provided any photographic or other evidence that shows events taking place Wynches Farm. The site inspection did not show anyone using the site despite it being a bright summer's day in the school holidays. The site is referred to in a planning appeal [APP/B1930/A/09/2111248, planning reference 5/2009/0748, appeal decision made on 5th January 2010] as "... public amenity land as part of the original development of Wynches Farm Drive area and was named 'open space'....". The planning decision deals with the loss of the open space as it would affect the setting and character of the surroundings or "visual amenity" in planning terms. The Tribunal determined in Gullivers Bowls Club v Rother DC CR/2013/0009 and Banner Homes Limited v St Albans City & District Council [2018] EWCA Civ 1187 that "visual amenity" enjoyed by being able to look at an open space did not meet the criteria of section 88 of the Localism Act 2011. The fact that Inspector considered that the loss of the open space would negatively impact the visual amenity does not provide proof that the space has been used to further the local community's social wellbeing or social interest. In the planning appeal decision the site is referred to as the only area of open space within the estate, so it could be used by the community to further the social wellbeing and interests in the future. However, potential future use does not meet the criteria set out in section 88(1)(a) which specifically requires there to have been "...an actual current use of the building or other land that is not an ancillary use". At the time of the nomination there was no evidence of actual or past use of Wynches Farm that furthers or furthered social wellbeing or social interest and therefore I cannot recommend that it is listed as an Asset of Community Value. |
| | Land South of White Horse Lane | Land lying to the south of White Horse Lane, London Colney, St Albans, C8AL2 1JW | The primary use of the asset does not further and has not in the recent past furthered the local community's social wellbeing or social interest. The nominating group has provided examples of how the land could, in the future, be used to further the local community social wellbeing and social interests, "by being used to provide more recreational facilities, a community orchard and development of a memorial grove". However, there is no evidence to support the land's current use or use in the recent past furthers/furthered the local community's social wellbeing or social interest. The nomination relies solely on the prospective use of the land. Before the future use of the land can be considered, the actual use of the land must satisfy the statutory criteria, whether that be current actual use or past use. The site is bounded by a dual carriageway on the north east side, White Horse Lane to the north west, a distribution site to the south east and the recreation ground to the south west. The land is fenced off however there is an entry point to access the public right of way along the south west boundary of the land to Richardson Close. There is a vehicular gate to the site, but this is chained and concrete blocks have been placed in front to prevent trespass by vehicles. At the time of inspection, the field was overgrown however there was a worn track along the route of the public footpath. There was evidence of additional tracks that have been created, showing a circular route along the perimeter of the field. There is also a cut through to the adjacent Morris Recreation Ground, which suggests that people have used the land outside of the footpath. However, during the inspection there was no pedestrians seen walking in any part of the site. There was no signage except for the public footpath sign. There was no other evidence to suggest the field provides a valued community asset or that it enhances the local community's social wellbeing or social interests, either during the site visit or in the nomination form. The site is an isolated field bounded by a dual carriageway on the NE side, White Horse Lane to the north, a distribution site to the SE. The adjacent recreation ground provides those facilities for the local community. Although there is a possibility that this field could be used as an extension to the existing recreation ground in the future, there is no evidence to suggest this is case now or in recent past. |
| | | Napsbury Orchard, South West Side of The Drive, London Colney | It is considered that the asset should not be listed as an Asset of Community Value for the following reasons: 1. The site is not accessible to the public as it is fenced off & bounded by hedgerow; it is overgrown. 2. There is clear signage that the area is private land & there is no public access or right of way and that entry will be trespassing. 3. There is no evidence that the area is used by the public/community e.g. no desire lines through the site. The nomination form did not provide any evidence of current community use. It provided details of the historical use of the area generally when it was the hospital in the 1800's & 1900's prior to the site being developed for housing, after the hospital closed. The criteria is not met. |