

Appeal Decision

Site visit made on 10 January 2017

by Alexander Walker MPlan MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 10th February 2017

Appeal Ref: APP/B1930/D/16/3164497
35 St Peters Road, St Albans AL1 3SR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Tim Mitchell against the decision of St Albans City & District Council.
 - The application Ref 5/16/2389, dated 30 July 2016, was refused by notice dated 26 September 2016.
 - The development proposed is a two-storey side and first floor rear extension.
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Decision

1. The appeal is dismissed insofar as it relates to the two-storey flat roof extension.
2. The appeal is allowed insofar as it relates to the two-storey and first floor rear extension and planning permission is granted for those elements of the proposal at 35 St Peters Road, St Albans AL1 3SR in accordance with the terms of the application, Ref 5/16/2389, dated 30 July 2016, so far as relevant to that part of the development hereby permitted, and subject to the following conditions.
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1700-MIT-01, 1700-MIT-02 (Proposed Elevations), 1700-MIT-02 (Proposed Floor and Roof Plans), 1700-MIT-04 and 1700-MIT-05.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Matter

3. The Council's Delegated Report states that the appeal property is a locally listed building which is located within the St Albans Conservation Area (the CA). The Delegated Report refers to the effect of the proposed development upon the locally listed building and the CA. However, the reasons for refusal do not make specific reference to the effect of the proposed development upon the CA, although it does mention saved Policy 85 of the St Albans District Local Plan Review (LP) 1994, which relates to the character or appearance of Conservation Areas, and the Planning (Listed Buildings and Conservation Areas) Act 1990. Nevertheless, I have a statutory duty under Section 72(1) of
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the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. This is therefore included in my reasoning below.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the locally listed building.

Reasons

5. The appeal property is a large, two-storey, detached dwelling located within the St Albans Conservation Area. St Peters Road is predominantly a residential road. The north west side of the road comprises traditional single-storey and two-storey semi-detached and detached dwellings. To the south east of the road is a large complex of modern multi-storey residential blocks. Whilst the appeal property is on St Peters Road, its size is more akin to properties on the neighbouring Manor Road and Hall Gardens, which consist of substantial dwellings set within large gardens.
6. The property has a number of gable end features. The elevation fronting the road has a gable end and the side elevation overlooking the garden area has two gable ends that slightly overlap due to one of them projecting further forward than the other. Whilst the property does have an aspect that fronts the road, the main elevation is to the side, which is also where the entrance into the property is located.
7. The proposal would include a large gable extension and the inclusion of an additional two-storey gable end on the west elevation. Whilst accepting that the larger of the two gable extensions would not be subservient to the original building, the Council considers that it would retain the form of the existing building, with its staggered gables, and therefore would not be detrimental to its character and appearance. I find no reason to disagree with this view.
8. The additional gable end, as a result of the first floor extension, would be slightly narrower and lower in height than the retained gable end and the proposed central gable end. Although, it would project further forward of the retained gable end it would be set behind the forward building line of the proposed central gable end, reflecting the staggered design. Furthermore, the additional gable end would be well screened by the larger gable end, whereas the original gable end would remain prominent, particularly when entering the site. Whilst the cumulative bulk of the two proposed gable extensions would significantly increase the size of the dwelling, I do not find that they would diminish the original form of the building or materially harm its character or appearance and would preserve the character and appearance of the CA. I therefore intend to allow that part of the appeal.
9. I now turn to the two-storey flat roof extension. Although I note that there is a small hipped element on the east elevation, an important feature of the dwelling is its gable ends and pitched roofs. The addition of a further roof design, in the form of a flat roof, would introduce an incongruous feature that would be in marked contrast to the prevailing pitched roof design. Consequently, it would significantly harm the character and appearance of the host building. However, given the scale of the extension and that it would be

well screened from public and private views, I find that it would have a neutral effect, and therefore preserve the character and appearance of the CA.

10. I therefore find that the two-storey extension and first floor extension are consistent with saved Policies 69, 72, 85 and 87 of the LP, which seek to ensure that development takes into account the scale and character of the surrounding area; is compatible with the original building; pays special attention to the desirability of preserving or enhancing the character or appearance of conservation areas; and, ensure features of locally listed buildings which are of architectural or historic importance are preserved. Furthermore, it would accord with the general design aims of the National Planning Policy Framework.
11. However, whilst the two-storey flat roof extension would preserve the character and appearance of the CA, and therefore would comply with Policy 85 of the LP, it would represent an incongruous feature that would be harmful to the character and appearance of the host dwelling. As such, this element of the proposal would be contrary to saved Policies 69, 72 and 87 of the LP.

Conditions

12. In relation to that part of the proposal I find acceptable, I have considered the conditions suggested by the Council, having regard to the six tests set out in the Framework. For the avoidance of doubt it is appropriate that there is a condition requiring that the development is carried out in accordance with the approved plans, so far as they are relevant to the part of the proposal that is permitted. In the interests of the character and appearance of the host dwelling and the CA a condition regarding materials is also necessary.

Conclusion

13. Notwithstanding the description of development set out above, the proposal involves distinct, and severable, elements. These are a two-storey extension on the west elevation; a first floor extension; and, a two-storey flat roof extension. For the reasons given above, having regard to all matters raised, the appeal is allowed in relation to the two-storey and first floor rear extension. However, in relation to the two-storey flat roof extension, the appeal is dismissed.

Alexander Walker

INSPECTOR