
Appeal Decision

Site visit made on 16 May 2017

by L Fleming BSc (Hons) MRTPI

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

Decision date: 22 May 2017

Appeal Ref: APP/B1930/D/17/3172140

4 Belmont Hill, St Albans AL1 1RD

- 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 Ms Sarah Gawne-Cain against the decision of St Albans City & District Council.
 - The application Ref 5/16/3425, dated 16 November 2016, was refused by notice dated 3 February 2017.
 - The development proposed is replacement single storey rear conservatory, formation of rear dormer window at second floor, installation of 4 No conservation roof lights at ground floor and internal alterations.
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Decision

1. The appeal is allowed and planning permission is granted for a replacement single storey rear conservatory, formation of rear dormer window at second floor, installation of 4 No conservation roof lights at ground floor and internal alterations at 4 Belmont Hill, St Albans AL1 1RD in accordance with the terms of the application, Ref 5/16/3425, dated 16 November 2016, 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 approved plans: Existing & Proposed Plans Drawing No RE414/100/B and Existing and Proposed Elevations and Site Section & Location Plan Drawing No RE414/101/B.
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of the occupants of No 5 Belmont Hill (No 5) with particular regard to outlook.

Reasons

3. The proposed development would involve single storey extensions to the rear of a large semi-detached dwelling.
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4. Saved Policy 72 of the City and District of St Albans District Local Plan Review (1994) (LPR) states single storey rear extensions shall not normally extend more than 3 metres rearward along a party boundary.
5. The proposed single storey rear extension would replace an existing conservatory and extend some 4 metres along the shared boundary with No 5. Even though the proposed extension would exceed the stipulated 3 metres, it seems to me that the overall aim of saved Policy 72 of the LPR is to ensure good design and that domestic extensions do not harm the living conditions of nearby residents.
6. In this case the proposed extension has been designed to incorporate a low shallow lean to roof. It would not be significantly taller than the existing fencing along the boundary and would not be of a noticeably greater mass than the conservatory it would replace. The proposed extension would not be overly tall or long or of an excessive mass. Therefore, it would not be overbearing and as such would not harm the living conditions of the occupants of No 5 with particular regard to outlook.
7. The Council raise no objections to the other elements of the proposal and I also find them to be acceptable. Thus, the proposed development would accord with the good design aims of the National Planning Policy Framework and the aims of saved Policy 72 of the LPR which seeks to ensure good design and that new development does not harm the amenities of nearby residents.

Other Matters

8. The appeal property is a locally listed building within the St Albans Conservation Area (CA). I agree with both main parties that the proposal would preserve the character and appearance of the CA and the locally listed building.

Conditions

9. The conditions imposed are those which have been suggested by the Council. In addition to the standard timescale condition, I have imposed a condition specifying the relevant drawings as this provides certainty. I have also imposed a condition which requires materials to match the existing dwelling in the interests of safeguarding the character and appearance of the area.

Conclusion

10. For the reasons set out above the proposed development would accord with the development plan and thus the appeal should be allowed.

L Fleming

INSPECTOR