
Appeal Decision

Site visit made on 5 August 2019

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 August 2019

Appeal Ref: APP/B1930/D/19/3226996
58 Sandpit Lane, St Albans AL1 4BW

- 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 Freeman against the decision of St Albans City and District Council.
 - The application Ref 5/18/3273, dated 11 December 2018, was refused by notice dated 8 February 2019.
 - The development proposed is the erection of a first floor side extension.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a first floor side extension at 58 Sandpit Lane, St Albans AL1 4BW in accordance with the terms of the application Ref 5/18/3273, dated 11 December 2018, 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: Refs 01 and 02.
 - 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.

Procedural matter

2. Notwithstanding the description of development set out above, which is taken from the application form, it is clear from the plans and accompanying details that the development comprises a first floor side addition and a dormer extension on the enlarged front roof slope of the appeal property. The Council dealt with the proposal on that basis and so shall I.

Main issue

3. The main issue is the effect of the proposed development on the character and appearance of the local area.

Reasons

4. The appeal property is a mainly 2-storey detached house in a predominantly residential area wherein buildings vary in style, size and general appearance. It stands within a short row of detached properties facing Sandpit Lane that are closely spaced apart. Like several buildings in the vicinity of the site, No 58

has been externally altered and extended. Consequently, there is some variety to the existing built form in the local street scene to which No 58 belongs.

5. The proposal is primarily to introduce a first floor extension above the existing ground floor projection at the side of the appeal dwelling. The new addition would be set back from the side boundary of the site although less than the minimum 1 metre cited in Policy 72 of the City and District of St Albans District Local Plan Review (LP). Even so, it seems to me that the guideline should not necessarily be applied prescriptively in every case because local circumstances should also be taken into account.
6. In this instance, the existing flat roof side projection of No 58 establishes a substantial built form at ground floor level close to the shared boundary with 60 Sandpit Lane. The proposed side extension would reduce the gap at first floor level between Nos 58 and 60 by introducing additional built form. However, sufficient space would be retained to preserve the visual break between the sidewall of the proposed extended dwelling and No 60, which is also set back from the shared boundary. This arrangement would ensure that these adjacent dwellings continue to be viewed in the local street scene as separate, distinct entities. The proposed extended dwelling would not, therefore, lead to a terracing effect whereby separate buildings visually merge due to their close physical relationship. For the same reason, I consider that sufficient space would surround the completed dwelling to ensure that it would not appear cramped in terms of layout.
7. The Council raises concern that the development sought, if repeated, would be harmful to the character and appearance of the local area. However, few details of those properties where the Council consider would cause such harm have been provided. I saw no obvious candidates during the site visit. In any event, it is a central planning principle that each case should be assessed on its own merits, as I have done. The Council appears to raise no objection to the new dormer extension, which I also find acceptable given its modest scale and appropriate design.
8. On the main issue, I conclude that the proposed development would be in keeping with the character and appearance of the local area. Accordingly, it does not conflict with LP Policies 69 and 72, which aim to ensure that new development achieves a high standard of design and is compatible with the building and the surrounding area. It is also in accordance with the National Planning Policy Framework, which notes that development should respond to local character and add to the overall quality of an area.

Other matters

9. The proposal would be close to the shared boundary between the site and No 60. Even so, I share the Council's opinion that the proposal, due to its scale and position, would not cause a significant loss of natural light nor would it be so imposing as to overbear on the occupiers of this adjacent property. That the proposal would require existing planting to be cut back and require scaffolding to be erected on land outside the site are private matters and insufficient reason to withhold planning permission.

Conditions

10. In addition to the standard time limit condition, it is appropriate to impose a condition to require that the development be carried out in accordance with the approved plans for certainty. A condition is also necessary to require that the external materials match those of the existing building, as proposed, in the interests of achieving a satisfactory appearance for the development.

Conclusion

11. For the reasons set out above, I conclude that the appeal should be allowed.

Gary Deane

INSPECTOR