



Appeal Decision

Site visit made on 18 February 2020

by C Osgathorp BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 February 2020

Appeal Ref: APP/B1930/D/19/3240547

26 Dellfield, St. Albans AL1 5HB

- 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 Ray Lee against the decision of St Albans City & District Council.
 - The application Ref 5/19/1564, dated 18 June 2019, was refused by notice dated 14 August 2019.
 - The development proposed is a two storey side extension.
-

Decision

1. The appeal is allowed and planning permission is granted for a two storey side extension at 26 Dellfield, St. Albans AL1 5HB in accordance with the terms of the application, Ref 5/19/1564, dated 18 June 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) 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.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: 19/SP/000 Rev A; 19/03/001; 19/03/002; 19/03/101 Rev C; and, 19/03/103 Rev C.

Preliminary Matter

2. The description of proposed development shown on the Council's decision notice is different to that shown on the planning application form. Neither of the main parties has provided written confirmation that a revised description has been agreed. Accordingly, I have used the description shown on the planning application form in the banner heading and determined the appeal on this basis.

Main Issue

3. The main issue is the effect of the proposed development on the living conditions of the occupiers of Nos 24, 24a and 24b Dellfield, with particular regard to outlook.

Reasons

4. The appeal property is a 2 storey end-of-terrace dwelling, which is designed with a hipped roof. The rear elevation of the adjacent building to the north, which includes Nos 24, 24a and 24b Dellfield, is orientated at an angle towards the appeal property. The outlook from the habitable rear windows and gardens of the neighbouring properties therefore includes the existing 2 storey side elevation of the appeal property, as well as its open garden area to the rear. The Council states that the layout of the adjacent property consists of one ground floor flat and 2 first floor flats occupying the south-western and north-eastern sides of the of the building.
5. The proposed 2 storey side extension would bring the appeal property closer to the rear habitable windows and gardens of the neighbouring properties. Nevertheless, the proposed extension, at around 1.9 metres wide, would be modest in width and would be set in from the boundary with the neighbouring properties. Taken together with the set down of the proposed extension from the ridgeline of the main roof; its hipped design; and its set in from the front and rear walls of the existing dwelling, the impact of the proposed extension on the outlook from the rear windows and gardens of the neighbouring properties would be limited. Whilst the proposed extension would be visible, the outlook from the neighbouring rear windows and gardens would not significantly change and it would still include the open garden area to the rear of the appeal property.
6. For the same reasons, the proposed development would not cause significant overshadowing of the neighbouring gardens compared to the existing situation.
7. I therefore conclude that the proposed development would not cause significant harm to the living conditions of the occupiers of Nos 24, 24a and 24b Dellfield. The proposal would therefore accord with saved Policy 72 of the St. Albans District Local Plan Review 1994, which seeks to protect the residential amenity of neighbouring properties. It would also accord with Paragraph 127 of the National Planning Policy Framework, which, amongst other things, seeks to create places with a high standard of amenity for existing and future users.

Conditions

8. In addition to the standard time limit condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans. This is for the avoidance of doubt and in the interests of certainty. In order to maintain the character and appearance of the dwelling and the surrounding area, I have also imposed a condition requiring the external surfaces of the development to be finished in materials to match those used in the existing building.

Conclusion

9. For the above reasons, and having had regard to all other matters, I conclude that the appeal should be allowed.

C Osgathorp

INSPECTOR