



Appeal Decision

Site visit made on 28 January 2021

by Chris Couper BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 February 2021

Appeal Ref: APP/B1930/D/20/3261490

14 Cavendish Road, St Albans AL1 5EE

- 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 Dudley and Miss Ryan against the decision of St Albans City and District Council.
 - The application Ref 5/20/1505, dated 7 July 2020, was refused by notice dated 11 September 2020.
 - The development proposed is a single storey side/rear extension with glazed atrium and velux window.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the living conditions at 12 Cavendish Road, with particular regards to outlook.

Reasons

3. In common with its attached neighbour at 12 Cavendish Road ('No 12'), the terraced house at No 14 has a two storey rear outrigger. The ground floor side-facing kitchen windows in these outriggers face each other across a narrow outside space, with a trellis and a fence along the party boundary.
4. The proposed single storey side extension would partially fill the already narrow gap between these two outriggers. Notwithstanding its shallow pitched roof and its approximately 2.3 metres eaves height, it would thereby diminish the already enclosed outlook from No 12's side-facing kitchen window and partially glazed door, and from its rear facing living room window.
5. Whilst the proposed flat-roofed rear extension would be no deeper than the existing projection, unlike it, this scheme would extend very close to the party boundary. It would be around 2.7 metres high. Taken together, given the siting of the proposed side and rear extensions, and their depth and height, the scheme would have an overbearing impact on both these habitable rooms at No 12. Due to the mass of solid masonry along the boundary, their outlook would become significantly more enclosed than at present, and the rear living room window would have a particularly 'tunnelled' aspect.

6. I have very limited evidence to assess how the scheme would impact the availability of light within those two rooms, but for the above reasons, the scheme would impact the occupiers' living conditions to a harmful degree.
7. Whilst I observed that many properties in this terrace have rear extensions, and at paragraph 2.5 of their grounds for appeal the appellants have cited some in Cavendish Road which were approved, I have few details such as their height or their precise context. Those examples do not change my conclusions regarding the harm that this scheme would cause.
8. Amongst other things, Policies 69 and 72 of the City and District of St Albans District Local Plan Review 1994 require that development shall have an adequately high standard of design, and that extensions shall not result in unacceptable harm to adjoining properties.
9. The scheme would conflict with those policies, and with the National Planning Policy Framework requirement for development to ensure a high standard of amenity.
10. Whilst the scheme would provide additional usable space for the appellants' growing family and would enhance this property, those benefits do not outweigh the significant harm that it would cause to the adjacent occupiers' living conditions. For the above reasons, the scheme would conflict with the development plan, and having regard to all other matters raised, the appeal is therefore dismissed.

Chris Couper

INSPECTOR