



Appeal Decision

Site Visit made on 23 March 2021

by G Pannell BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 April 2021

Appeal Ref: APP/B1930/D/20/3262751

62 Ragged Hall Lane, Chiswell Green, St. Albans, AL2 3LD

- 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 & Mrs J Hume against the decision of St Albans City Council.
 - The application Ref 5/20/1420, dated 24 June 2020, was refused by notice dated 12 October 2020.
 - The development proposed is first floor side / rear extension plus replacement roof with front and rear facing dormer windows and various rooflights to create second floor habitable accommodation.
-

Decision

1. The appeal is allowed and planning permission is granted for First floor side / rear extension plus replacement roof with front and rear facing dormer windows and various rooflights to create second floor habitable accommodation at 62 Ragged Hall Lane, Chiswell Green, St. Albans, AL2 3LD in accordance with the terms of the application, Ref 5/20/1420, dated 24 June 2020, and the plans submitted with it, subject to the following condition:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: J1701/P01; J1701/P02; J1701/P03; J1701/P04; J1701/P05; J1701/P06 and J1701/P07.
 - 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.
 - 4) The extension hereby permitted shall not be occupied until the windows within the side elevation facing 64 Ragged Hall Lane have been fitted with obscured glazing, and no part of those windows that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the window is installed and once installed the obscured glazing shall be retained thereafter.

Main Issue

2. The main issue is the effect of the development on the living conditions of the occupants of 60 Ragged Hall Lane, with regard to light.

Reasons

3. The appeal site comprises a two-storey detached dwelling within a good sized plot. The property is located along Ragged Hall Lane which is characterised by detached dwellings which vary in their appearance and design, with heights ranging from two storey to single storey bungalows. The neighbouring property, 60 Ragged Hall Lane, is a single storey bungalow.
4. The proposed first floor extension would be constructed over the existing garage and would be set in slightly from the boundary with no. 60, which is separated from the appeal site by an existing boundary fence. The ground floor side windows of no. 60, nearest to the appeal site, are partially enclosed by an existing garage and shed and the boundary fence separating the two properties and as such allows limited daylight through it.
5. I consider that the appeal scheme would not have a significant enclosing or shading effect on the neighbouring property. There would be no loss of sunlight as a result of the proposed extension as the affected window is located on the side elevation, within 90 degrees of due North. In addition, as a result of the proximity of the window to the boundary fence, the outlook from this window is also restricted. Assessing the scheme against the existing and proposed site circumstances show that the changes would not unduly harm the living conditions of the occupiers of 60 Ragged Hall Lane with regard to light.
6. In conclusion, the extension would not harm the living conditions of the occupiers of the adjoining residential property and would comply with Policy 72 of the St Albans Local Plan 1994 which seeks to ensure the light of adjoining properties are not unacceptably harmed by development.

Conditions

7. The Council has suggested conditions which I have considered against the advice in the Framework and Planning Practice Guidance. As well as the standard implementation condition, I have imposed a condition to ensure that the proposal is built in accordance with the approved plans to provide certainty and a condition in respect of materials to safeguard the character and appearance of the area.

Conclusion

8. For the reasons given above I conclude that the appeal should be allowed.

G Pannell

INSPECTOR