



Appeal Decision

Site visit made on 19 November 2021 by Emma Grierson BSc (Hons) MSc MRPTI

Decision by H Nicholls FdA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 December 2021

Appeal Ref: APP/B1930/D/21/3279152

41 Perham Way, London Colney, Hertfordshire AL2 1LB

- 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 Perry Jackson against the decision of St Albans City Council.
 - The application Ref 5/21/0788, dated 17 March 2021, was refused by notice dated 24 June 2021.
 - The development proposed is a first-floor front, single storey side and part single, part two storey rear extensions following demolition of existing conservatory, garage conversion to habitable space, alterations to openings and landscaping works.
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Decision

1. The appeal is allowed and planning permission is granted for a first-floor front, single storey side and part single, part two storey rear extensions following demolition of existing conservatory, garage conversion to habitable space, alterations to openings and landscaping works at 41 Perham Way, London Colney, Hertfordshire, AL2 1LB, in accordance with the terms of the application, Ref 5/21/0788, dated 17 March 2021, 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 development hereby permitted shall be carried out in accordance with the following approved plans: PA-200, PA-201 and PA-202.
 - 3) The external surfaces of the development hereby permitted shall be constructed only of materials, the type and colour of which match exactly those of the existing building or as states on the application form and approved plans.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The description of the proposal in the banner above has been taken from the appeal form rather than the application form in the interests of clarity and concision.

Main Issues

4. The main issues in the appeal are:

- the effect of the proposed development on the character and appearance of the surrounding area, and
- the effect of the proposed development on the living conditions of the occupiers of No 38 Perham Way, in relation to outlook.

Reasons for the Recommendation

Character and Appearance

5. The appeal property is a two-storey detached dwelling with a conservatory to the rear. It is located within a suburban cul-de-sac made up of a variety of detached, semi-detached and terrace dwellings, with most characterised by a gable feature on the front elevation. The proposal includes a two-storey front extension and a part single, part two-storey side and rear extension.
6. The first-floor extension to the front elevation would be highly visible within the streetscene. However, it would be in keeping with the size and design of the existing gable feature on the front elevation of the host dwelling and surrounding properties and, as it would only extend over the existing ground floor projection, it would be minimal in size.
7. Due to the corner plot location of the appeal site, the two-storey rear extension would be visible from Perham Way. However, it would be considerably set back from the road, separated by car parking and a footway. It would also have a minimal height, compared to the height of the host dwelling, and a modest depth of only 2 metres. Therefore, it would not be an overly large or prominent addition to the streetscene.
8. The single storey rear extension would have limited visibility in the public realm, although it could be viewed from some neighbouring properties. Nevertheless, due to its single storey nature and pitched roof, this element would be in keeping with the existing dwelling and would not appear excessive in size.
9. The proposed extensions would cumulatively result in a much larger dwelling than at present, which would be larger than most others within the estate. However, sufficient space would remain around the property to ensure that the proposal would not appear cramped within its surroundings and the dwelling would not appear overly dominant or out of place in the streetscene.
10. Therefore, the proposed development would not harm the character and appearance of the surrounding area and would not conflict with Policy 72 of the St Albans District Local Plan Review (1994). This Policy requires extensions to relate to the domestic scale, character and appearance of the street and be appropriate to the original building. It would also comply with the design objectives of the National Planning Policy Framework.

Living Conditions

11. Whilst the proposal would bring the appeal dwelling closer to the shared boundary with 38 Perham Way, a gap of over 1 metre would remain between the single storey extension and this boundary. There is also a small alleyway between the appeal site and this neighbouring property. Due to this separation and the single storey nature of the proposal, there would not be a significant loss of outlook or daylight received by the occupiers of No.38 when using their

garden or the dwelling itself. The two-storey elements of the proposal would be some distance from the boundary with No.38 and would therefore also have a negligible impact upon this neighbouring property.

12. Due to the distance from the appeal site boundary, the proposal would not impact upon the outlook from, or the daylight received to the occupiers of the neighbouring properties at Nos 35, 36 or 37 Perham Way. Furthermore, as 42 Perham Way is positioned forward of the appeal site, the extensions proposed would have no impact upon the occupiers of this property.
13. It is noted that the proposal would be lit to the rear by an infra-red security light system, although no further details have been provided to indicate where this light would be positioned. However, this could be implemented on the appeal site regardless of the proposed development and therefore would not be a sufficient reason to dismiss the appeal.
14. Consequently, the proposed development would not harm the living conditions of any neighbouring occupiers and would not conflict with Policy 72 of the St Albans District Local Plan Review (1994). This states that the amenity of adjoining properties shall not be unacceptably harmed. It would also comply with the National Planning Policy Framework which requires development to have a high standard of amenity for existing users.

Conditions

15. In addition to the standard time period for commencement of the development, I have attached a condition requiring the development to accord with the approved plans, as this provides certainty and precision. A condition requiring the use of materials matching that of the existing building is also necessary to ensure an appropriate appearance for the development.

Conclusion and Recommendation

16. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

Emma Grierson

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

Hollie Nicholls

INSPECTOR