



Appeal Decision

Site visit made on 17 November 2021

by A.Graham BA(hons) MAued IHBC

an Inspector appointed by the Secretary of State

Decision date: 16th December 2021

Appeal Ref: APP/B1930/D/21/3281994

84 Park Rise, Harpenden Hertfordshire AL5 3AL

- 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 N & J Marsden against the decision of St Albans City and District Council.
 - The application Ref 5/21/1174, dated 30 March 2021, was refused by notice dated 20 July 2021.
 - The proposed development is for erection of a rear single storey extension with mezzanine floor and roof lights including new side window to existing bedroom 1.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issue is the impact of the proposals upon the living conditions of neighbours.

Procedural Matter

3. Since the determination of this application the revised National Planning Policy Framework was published in July 2021.

Reasons

4. The appeal property is a detached chalet style bungalow within a mixed residential suburban area. The property is the last bungalow within this row of houses before there is a transition to two storey semi detached buildings beginning with number 86 Park Rise next door.
5. Number 84 has an attached garage adjoining number 86 and has a single window serving a bedroom facing onto the common boundary between the two properties. I saw on my site visit that several neighbours, including the immediate neighbour at number 82 Park Rise, have previously extended to the rear into their respective rear gardens.
6. The appeal site sits around half a storey height above number 86 and although the appeal property has a long linear rear garden, number 86 has a relatively short garden likely due to the way the plots had been laid out originally. As a result, not only is the rear garden of number 86 considerably lower than that of the appeal property, but it is also considerably shorter.

7. The proposal before me seeks permission to extend to the rear of the existing bungalow in a pitched roof form that will be slightly set in at either side so as to further remove the built form from the common boundaries. The proposed extension would present a full height glazed gable facing into the rear garden and would, in turn, contain a first floor mezzanine and double height space within that would be lit by four modest rooflights. Due to the extension extending to the rear in such a manner, it would also be necessary to create a substitute window into the side elevation in order to serve bedroom one.
8. Although I consider that such an extension would not generally cause any adverse issues, in this case, I consider that extending to the rear has the potential to seriously impact upon the living conditions of residents at number 86. This is not necessarily the fault of the design of the proposed extension before me, but rather the fault of the original layout of plots here that resulted in number 86 having a garden that is so short and located at such a low level in relation to number 84.
9. Largely due to this therefore, the proposed extension would dominate somewhat the rear garden of number 86 through the combination of proximity and change in ground level together with the height of the proposed extension. This would further 'hem' in the rear garden of number 86 and cause the property to suffer some loss of daylight especially at ground floor level.
10. The potential for harm upon the living conditions of number 86 is also worsened through the need to place a habitable room window facing the common boundary. Although the screen fence would offer some protection over this there is no guarantee that the fence would remain nor would it be practicable to obscure the only window serving bedroom one.
11. The proposal therefore would cause harm to the living conditions of residents at number 86 Park Rise through its over bearing impact and the potential for direct overlooking caused by the relocation of the window serving bedroom one. As such I consider that the proposal before me would be contrary to Policy 72 of the St Albans District Local Plan Review 1994 and the aims of the National Planning Policy Framework.

Conclusion

12. For the reasons above, taking into account all other matters raised, I dismiss the appeal.

A Graham

INSPECTOR