



Appeal Decision

Site visit made on 12 April 2022

by J D Westbrook BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th April 2022

Appeal Ref: APP/B1930/D/22/3291508

20 Church Street, ST. ALBANS, AL3 5NQ

- 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 Mrs Emma Mason against the decision of St Albans City Council.
 - The application Ref 5/21/3095, dated 4 November 2021, was refused by notice dated 24 December 2021.
 - The development proposed is the construction of a loft conversion to habitable accommodation, with front rooflights and a rear dormer window.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a loft conversion to habitable accommodation, with front rooflights and rear dormer window at 20 Church Street, ST. ALBANS, AL3 5NQ, in accordance with the terms of the application, Ref 5/21/3095, dated 4 November 2021, and the plans submitted with it, 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: D01 – D13 inclusive.
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue in this case is the effect of the proposed loft conversion on the character and appearance of the St Albans Conservation Area (CA)

Reasons

3. No 20 is a small mid-terraced house, situated on the south eastern side of Church Street. In common with other properties in the terrace it has a two-storey rear outrigger, and a small rear garden. To the rear of the property is a commercial unit with a number of mature trees further to the east. The proposed loft conversion would have an L-shape and would largely cover the rear roof slope and part of the rear outrigger.
4. Policy 69 of the Council's District Local Plan Review (LP) indicates that new development should take into account the context and materials of its

surroundings. Policy 72 of the LP indicates that residential extensions should relate to the domestic scale, character and appearance of the street, and be compatible with and appropriate to the original building, particularly in conservation areas. Policy 85 of the LP indicates that, in conservation areas, permission will be granted only where a high standard of design is achieved and the proposal enhances or preserves the appearance of the conservation area. In particular, extensions should normally be designed to leave the original building form pre-dominant and the form of the original roof should normally be extended or repeated. Finally Policy 87 indicates that planning permission will not be granted for alterations and extensions to Locally Listed Buildings unless features of architectural or historic interest are preserved.

5. The Council contends that the proposed dormer, by reason of its proportions, design and bulk, spanning the majority of the width of the roof and projecting rearwards above the ridge of the rear outrigger, together with the use of a flat roof design, would appear as a bulky, dominant and out of scale addition to the Locally Listed Building. Furthermore, the dormer would dominate the roof of the building, resulting in an incongruous addition to the building and would fail to respect the character and appearance of the host dwelling and would not preserve or enhance the character or appearance of the CA. Finally, the proposal would harmfully detract from the character and appearance of the original dwellinghouse, the group of which it forms a part, the street scene and the locality.
6. The appellant contends that proposal is similar in almost all respects to the rear dormer approved at No 2 Bernard Street, some 40 metres away. Moreover, that dormer is visible from the public domain, whilst the appeal scheme would not be visible and would, therefore, cause less harm to the CA. Finally, the rear dormer, would assist in the practice of working from home.
7. In this case, No 20 is a small terraced house situated within a short row of dwellings on the south-eastern side of the road. To the rear of the terrace is a low, single-/two-storey commercial premises, including a workshop, and a row of mature trees. There is, therefore, no meaningful or clear view of the rear of the appeal property from any significant location. The proposed dormer would be set just below the main roof ridge of the house and would not be visible in the street scene.
8. I accept that the proposed dormer would cover a substantial part of the rear roof slopes of the property and would have a flat roof. However, any dormer on any of the small houses in this part of the CA would have to have a flat roof, by virtue of the small scale and height of the properties. The recently approved dormer at No 2 Bernard Street (No 2), is of a similar scale and design. The side elevation of that dormer is visible in the street scene along Bernard Street, and is also readily visible from Church Street to the rear, through a sizeable gap in the street frontage.
9. I do not consider that the existing dormer at No 2 is harmful to the character or appearance of this part of the CA. It does not appear as out of scale or incongruous and, on for similar reasons, I do not consider that the proposal at the appeal property, which would be significantly less visible, would be harmful to the CA. On this basis, it would preserve the essential character and appearance of the CA. Moreover, it would appear that the materials to be used for the proposed dormer would be similar to those used at No 2, and the

Council accepts that the materials used in the face and cheeks of the dormer would match existing materials, and are therefore considered to be compatible. I concur with that view.

10. I note the other examples of rear dormer extensions referred to by both the Council and the appellant – some allowed and some refused permission. However, I have limited information as to the details and background of these examples, or of the specific CA character appraisal features that apply in these nearby areas. In any case, I have considered this proposal on its own merits, in the context of the immediate surroundings and the locality.
11. Finally, I note the contention of the appellant that additional space is needed in this small dwelling for family needs and to improve the conditions for working from home. I have some sympathy for these arguments, although I do not consider that the scheme as proposed is necessarily the only means of achieving this ambition.
12. In conclusion, I find that the proposed dormer extension would not be harmful to the character and appearance of the host property, its immediate surroundings, or the wider CA. On this basis, it would preserve the character and appearance of the CA and would not conflict with Policies 69, 72, 85 or 87 of the LP. Accordingly, I allow this appeal.

Conditions

13. I have attached a condition relating to plans because it is necessary that the development shall be carried out in accordance with the approved plans for the avoidance of doubt and in the interests of proper planning. I have attached a further condition relating to materials in the interests of the visual amenities of the area.

J D Westbrook

INSPECTOR