



Appeal Decision

Site visit made on 2 August 2022

by Paul Martinson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 September 2022

Appeal Ref: APP/B1930/W/22/3293688

25B Alma Road, St Albans, AL1 3AR

- 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 Miss Naomi Tucker against the decision of St Albans City Council.
 - The application Ref 5/2021/2309, dated 5 August 2021, was refused by notice dated 23 September 2021.
 - The development proposed is described as 'creation of first floor rear terrace, decking and privacy balustrading including replacement balustrading'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Whilst the description of development states that the roof terrace would be created on the first floor, I have determined the appeal on the basis of the plans before me.

Main Issues

3. The main issues are:
 - whether the proposal would preserve or enhance the character or appearance of the St Albans Conservation Area (the CA); and
 - the effect of the proposed development on the living conditions of the occupiers of neighbouring properties.

Reasons

Conservation Area

4. Alma Road is a wide thoroughfare lined with impressive and elegant Victorian and pre-Victorian villas. As set out in the St Albans Conservation Area Character Assessment (2016) (CACS) these have been built with traditional materials with pleasing architectural detailing, although they vary in height and style. Nevertheless, vertically sliding sash windows, prominent chimneys and slate roofs are common features along the street and, despite the variations in height, buildings often extend to three storeys. Rear extensions to the buildings are common, although, these are typically subservient to the main buildings and limited to one and two storeys. Balconies, where present, tend to be limited in scale.

5. Side streets such as Bedford Road and Alexandra Road break up the consistent pattern of buildings lining the road. Dwellings along these side streets tend to be lower in height than those along Alma Road. Gaps in the built form here allow views to be glimpsed through to the rear of properties along Alma Road. Views are also possible from within the communal areas of the new housing development of Gabriel Square located to the rear of Alma Road. The variety in roof heights and styles, architectural detailing, and prominent chimneys of buildings along Alma Road contribute to the significance of the CA insofar as it relates to this appeal.
6. The appeal property, 25B Alma Road, is locally listed and both parties agree that it is a non-designated heritage asset. 25B Alma Road comprises part of the first and second floors of a large and elegant villa. The building is noticeably taller than its neighbours to either side and, due to its architectural detailing, prominent chimneys, and slate roof it reinforces the significance of the CA. These features also contribute to the significance of the building as a non-designated heritage asset.
7. The appeal property has an existing balcony which is accessed from a second floor doorway. This is enclosed by a plain black metal balustrade. Owing to its small area, limited projection and the simple nature of its enclosure seen against the dark coloured roof, the existing balcony is a reasonably sensitive addition to the rear elevation that is not prominent in the aforementioned views of the rear of Alma Road.
8. It is proposed to form a new roof terrace to the top of the adjacent two storey flat roofed extension which would occupy most of its surface, a considerable area. This would be at a lower level than the existing balcony and would be accessed via a new flight of steps. Owing to the scale of the roof terrace, its considerable projection from the rear of the building and the use of modern etched glass to enclose it, the proposal would stand out as an incongruous addition at odds with the traditional character of the villa. The new enclosures to both the existing balcony and the new roof terrace would be seen against one another, overlapping at different heights. Alongside the stepped nature of the side panels, this would lead to a convoluted and discordant appearance that would exacerbate this harm, to the detriment of the significance of the locally listed building.
9. The appeal proposal would be seen in an elevated position in views from Bedford Road and from within the Gabriel Square development, as well as from neighbouring properties. In these views the proposal would appear as an incongruous addition to the roofscape, drawing the eye away from the architectural detailing and prominent chimneys of the appeal property.
10. I accept that the properties on Gabriel Square have glazed balconies. However, these are reflective of the contemporary character of that development. I also note that there is a glazed balcony at 25A Alma Road, however this is located at a significantly lower level and due to its location does not form part of the distinctive roofscape along Alma Road.
11. As such, for the above reasons, I conclude that the proposal would be harmful to the significance of a non-designated heritage asset and would fail to preserve or enhance the character or appearance of the Conservation Area. With the above in mind, the proposal would be contrary to Saved Policies 69, 72, 85 and 87 of the St Albans Local Plan Review (first adopted 1994) (the LP)

and the provisions of the National Planning Policy Framework (the Framework) which seek, amongst other things, to preserve character and appearance and ensure that heritage assets are conserved in a manner appropriate to their significance.

12. Nevertheless, the proposal would lead to less than substantial harm as set out in paragraph 199 of the Framework. Section 72(1) of the Act requires decision makers to have special regard to the desirability of preserving or enhancing the character or appearance of the Conservation Area, to which I have attached considerable importance and weight.
13. Whilst the proposal would represent an investment in a locally listed building, which would be a benefit of the proposal, it would be harmful to its significance and therefore would not sustain the historic built environment. For the same reasons any architectural interest added would be at the expense of the significance of the locally listed building and the character and appearance of the CA. As the proposal would remove the existing balcony and replace it with an incongruous form of development, it would not better reveal the significance of the building. There are therefore no public benefits arising that would, when taken together, outweigh the harm to the character and appearance of the CA.

Living Conditions

14. 27A Alma Road is a lower ground floor flat located within the same building as the appeal property. The kitchen of No 27A is located in a single storey ground floor wing that extends out from the main rear elevation in line with the two storey flat roofed extension forming part of the appeal property. The kitchen has a large, glazed roof lantern that is located close to the existing flat roofed extension, albeit at a lower level. On the site visit I saw that, whilst possible, due to the position of the existing balcony and its limited depth, it was difficult to look down into the roof lantern. I also saw that the existing flat roofed extension limited views from the balcony into the garden of No 27A to an extent, although parts were visible. Overlooking of these spaces from other properties is limited by the position of buildings in relation to No 27A. Occupants of No 27A would reasonably expect the existing privacy levels at their property to be protected.
15. The proposed glazed enclosure to the roof terrace would not extend to a height that would limit views across to No 27A, particularly if those present on the terrace are standing. Given their respective positions, anyone standing on the edge of the proposed roof terrace closest to No 27A would be able to look down into the kitchen through the roof window for its full length. Furthermore, standing on the roof terrace would allow for likely unrestricted views into the garden of No 27A. Whilst both elements are subject to limited overlooking at present, the proposal would significantly increase the potential for overlooking over a much greater area. Consequently, the proposal would adversely affect the privacy levels currently enjoyed by the occupants of No 27A.
16. For the above reasons, the proposal would adversely affect the living conditions of the occupants of 27A Alma Road. The proposal would therefore conflict with Policies 69 and 72 of the LP which, in summary, seek to ensure new development preserves living conditions.

Other Matters

17. I accept that the appellant's property has limited outside space and that the proposal would provide a significant enhancement in this respect. It would also occupy a space that is currently underused. However, these are relatively minor benefits when compared to the public harm I have identified above.

Conclusion

18. For the reasons given above, having considered the development plan as a whole and all other relevant material considerations, I conclude that the appeal should be dismissed.

Paul Martinson

INSPECTOR