



Appeal Decision

Site visit made on 13 June 2023

by J Wellstead BA(Hons) MA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th August 2023

Appeal Ref: APP/B1930/D/22/3303527

4 Upper Lattimore Road, St Albans AL1 3TU

- 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 T Carr against the decision of St Albans City and District Council.
 - The application Ref 5/2021/3053, dated 1 November 2021, was refused by notice dated 24 May 2022.
 - The development proposed is resubmission following refusal of application 5/2021/1584 loft conversion with hip to half hip, roof lights and rear dormers.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the living conditions of the occupiers of No.6 Upper Lattimore Road, with particular regard to outlook.

Reasons

3. The appeal site (No.4 Lattimore Road) is a detached, two-storey dwelling with a hipped roof within a predominantly residential area.
4. No.6 Upper Lattimore Road is to the north of the appeal site, with rear windows facing out towards the side elevation of the appeal dwelling. There is a short rear garden separating the rear windows in No.6 and the side elevation of No.4, which provides garden space for No.6.
5. The appellant states that there is a dental surgery currently in place at No.6. While there appears to be historic use of No.6 as a dental surgery, my site observations indicate that use seems to have now lapsed, with the building appearing to be residential in nature at the time of my visit.
6. The appeal scheme is for a loft conversion to provide an extra bedroom with ensuite and dressing area. Although the scheme would not bring the built form closer to No.6 than the existing property, and the ridge height of the appeal dwelling would remain unaltered, the height of the side flank wall facing No.6 would be increased significantly. This would result in a tall, blank wall on the party boundary with No.6, in close proximity to its rear facing windows, which would be dominant, overbearing and intrusive in the outlook from them. The extended dwelling would make the rooms that these windows serve less pleasant to spend time in.

7. The appeal scheme's use of a half-hipped design, the retention of sufficient levels of daylight and the size and layout of the garden at No.6 do not alter my conclusion.
8. I therefore conclude that the scheme would harm the living conditions of the occupiers of No.6 Upper Lattimore Road, with particular regard to outlook. Consequently, it would conflict with Policy 72 of the St Albans District Local Plan¹, which seeks to protect the amenity of adjoining properties. It would also conflict with the aims of the National Planning Policy Framework which seeks to achieve a high standard of amenity for existing and future users.

Other Matters

9. The appeal property is located within the St Albans Conservation Area (CA). The CA covers a wide area and within the vicinity of the appeal site the CA is residential and commercial in character with a mix of architectural designs, materials and roof forms. In this context and having regard to my duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the proposal's design and materials would be proportionate and in keeping with the existing dwelling. The appeal scheme would not negatively impact on the character and appearance of the host building or local area. The character and appearance of the CA as a whole would be preserved.

Conclusion

10. For the above reasons, and notwithstanding my findings in respect of the CA, the proposal would conflict with the development plan as a whole and there are no material considerations that indicate that the decision should be made other than in accordance with it. Therefore, for the reasons given, the appeal is dismissed.

J Wellstead

INSPECTOR

¹ St Albans District Plan, City and District of St Albans District Local Plan Review, Adopted November 1994, Written Statement.