

Appeal Decision

Site visit made on 10 October 2023

by Eleni Randle BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th October 2023

Appeal Ref: APP/B1930/D/23/3321053

11 Ramsbury Road, St Albans, Hertfordshire, AL1 1SJ

- 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 Ms K Savin-Taylor against the decision of St Albans City & District Council.
 - The application Ref 5/22/2729 dated 14 November 2022, was refused by notice dated 24 March 2023.
 - The development proposed is loft conversion with rear dormer and front facing rooflights.
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Decision

1. The appeal is allowed, and planning permission is granted for loft conversion with rear dormer and front facing rooflights at 11 Ramsbury Road, St Albans, Hertfordshire, AL1 1SJ in accordance with the terms of the application ref: 5/22/2729 dated 14 November 2022 subject to the following conditions:
 - 1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission;
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: S1587/10 (location plan), P1587/13 (block plan), P1587/11/D (proposed floor plans) and P1587/12/E (proposed elevations);
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Matters

2. Since the determination of the application, and the submission of this appeal, a revised National Planning Policy Framework 2023 (the Framework) was adopted on 5 September 2023. The refusal reason generically references the Framework however, it is not considered that this impacts upon the determination of this appeal given the main changes to the Framework.
3. There are several elements to the appeal proposal as outlined in the development description at the start of this decision letter. The Council's delegated report confirms that there are no reasons for refusal based upon the proposed front facing rooflights or use of the loft space. Based upon the evidence before me, and my site visit, I find no reason to conclude differently on this element. The refusal reason is specific in its reference to the impact of

the proposed rear dormer so, for the avoidance of doubt, the appeal will focus upon this element in the context of the main issue outlined.

Main Issue

4. The main issue is the impact of the proposal upon the existing building and character and appearance of the Conservation Area.

Reasons

5. The appeal site is a locally listed, semi-detached, two-storey dwelling located on Ramsbury Road near the junction with Approach Road and Cornwall Road. The property has a single storey rear extension with the loft having previously been converted. The appeal site stands within the St Albans Conservation Area (CA). Section 72 of the Planning (Listed Buildings in Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving and enhancing the character and appearance of the CA. Preserving and enhancing can also be taken to mean doing no harm.
6. The appeal proposal seeks permission for a rear dormer which would, essentially, visually present as two smaller conservation style dormers (as opposed to one large dormer) as a result of a design connection created by a small, recessed lead clad flat roof element. This would be consistent with the host building and its immediate setting. The dormer would be set down from the ridge, up from the eaves, as well as being set in from the gable wall. The dormer would utilise materials to match those of the host dwelling and the proposed windows, within the dormer, are reflective of the fenestration on the existing building. It would, ultimately, leave sufficient legibility as to the original rear roof space which would contribute to the proposal representing a visually proportionate addition. As a result of these factors, I find that the proposal would be of appropriate bulk, size and scale. The design would ensure that it would be visually acceptable so as to not to have a dominant, bulky, and incongruous appearance which would be at odds with the original design and form of the existing locally listed building.
7. At the time of site visit, I parked my car on Approach Road and walked towards, and past, the appeal site down Cornwall Road. From within Cornwall Road, I found that views of the appeal site roof are extremely limited. I found that there was only one realistic potential viewpoint which was when stood in the vicinity of/opposite 5 Cornwall Road and facing towards the appeal site. From here, I acknowledge that part of the appeal site roof is visible, however, this is very much limited in the context of built form in the vicinity. You could not, for example, see the entire roofscape of that side of Ramsbury Road in shared views and I find that the viewpoint was only noted as a result of me specifically looking for the site in question as part of the assessment of this appeal. On a day-to-day basis, I strongly suspect that users of Cornwall Road would take little to no notice of the appeal site roof as part of their day-to-day activities.
8. Any views which would be available of the proposal would only result in the right-hand side of the dormer being visible from Cornwall Road. As a result of this, and as a result of design, views within the public realm and street scene I find would be limited to what would appear as one single modest dormer as the full dormer would not be visible due to partly being obscured by 13 Ramsbury

- Road. As a result of this I find that the proposals impact upon appearance of the locality would be extremely limited.
9. Such a limited glimpsed view would not, in my opinion, be detrimental to the CA given the community's appreciation of both character and appearance of a CA being generally from the public domain and key views within the CA. The front elevation of the property would be left in an appropriate manner as a result of the proposals before me. I do not find that the rear of the appeal site contributes to the significance of the CA and attention would not be negatively drawn to the proposal as a result of overall size or design for the reasons discussed above.
 10. It is stated, by the Council, that the dwellings in this part of Ramsbury Road have limited alterations at roof level, The majority of dormer windows that are visible in the immediate locality are stated to be more limited in scale with traditional pitched roofs which reflect the form of the main house, are subordinate in size and scale, and reflect the window hierarchy of the original buildings. The appellant has provided photographic evidence of dormer windows which are visible within both Ramsbury Road and Cornwall Road respectively. Regardless of how such examples came to be, the Council's statement does confirm that dormer windows are not uncharacteristic features in principle in the immediate locality of the appeal site. The roof alterations may be more limited; however, it is key that dormers are not uncharacteristic.
 11. Taking this into account, combined with the very limited visibility of the proposal and the design matters in relation to the existing building itself discussed above, I do not find that the proposal would significantly disrupt the roofscape and I find that the proposal would achieve an appropriate standard of design given the status of the building itself and the location within the CA as a designated heritage asset. Taking all of these factors into account, I find that the proposal would do no harm to the character and appearance of this part of the CA and, given that preserve and enhance can also be taken to mean doing no harm, there is no requirement to assess the proposal in the context of any public benefits as there is no harm to outweigh in this case.
 12. The proposal would be consistent with St Albans District Local Plan Review 1994 (LP) Policy 69 which requires development shall have an adequately high standard of design, taking into account the scale and character of the surroundings and that materials shall normally relate to adjoining buildings. The proposal would also be consistent with LP Policy 72 which requires that applications for extensions to dwellings shall relate to the domestic scale, character and appearance of the street and be compatible with the original building in terms of architectural style, roof form, windows, detail and materials.
 13. Finally, the proposal would be consistent with LP Policy 85 which confirms that permission will only be granted where a high standard of design is achieved, and the proposal enhances or preserves the appearance of the CA with development being sympathetic to its surroundings and the CA as a whole. Extensions shall normally be designed to leave the original building form predominant, and materials shall be good quality and compatible with those in the vicinity. The proposal is also consistent with the provisions of the Framework, with particular regard to Section 16.

Conditions

14. A time condition is attached to comply with Section 51 of the Planning and Compulsory Purchase Act 2004. A condition requiring the development to be in accordance with the approved plans is required to control and define the development which is granted consent. A condition relating to materials is required to ensure the proposal matches the host building and that any deviations in materials from existing are approved by the Council to ensure an appropriate finish.
15. I note that the Council's delegated report makes reference to a new first floor side window to serve a bathroom, however, it would appear to serve a bedroom and is also shown on the proposed side elevation. Comment is made regarding a condition for obscure glazing, but this is not suggested within the Council's questionnaire. In any case the proposed window would face a brick wall on the side elevation of 13 Ramsbury Road so there is no requirement for such a condition in this case to protect the privacy of neighbouring occupants.

Conclusion

16. For the reasons outlined above, and taking account all other matters raised, I conclude that the appeal should be allowed subject to conditions.

Eleni Randle

INSPECTOR