



Appeal Decision

Site visit made on 24 February 2025

by Ian McHugh DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th March 2025

Appeal Ref: APP/A1910/D/24/3348119

Springholme, Cavendish Road, Markyate, St Albans, AL3 8PX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mrs Samantha Keogh-Clarke against the decision of Dacorum Borough Council.
 - The application Ref is 24/00775/RET.
 - The development proposed is the replacement of existing raised decking.
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Decision

1. The appeal is allowed and planning permission is granted for the replacement of raised decking at Springholme, Cavendish Road, Markyate, St Albans, AL3 8PX in accordance with the terms of the application Ref 24/00775/RET, subject to the following conditions:
 - 1) The development hereby permitted relates to the following approved plans: Site Location Plan; Block Plan; Side Elevation; Rear Elevation and Floor Plans.

Main Issue

2. The main issue is the effect of the proposal on the privacy of the occupants of the neighbouring dwelling, Cavendish Coach House.

Reasons

3. The appeal property is a semi-detached bungalow, which is situated within a residential area. The Council also states that the property is within the Markyate Conservation Area, although the plan that accompanies the appeal documents appears to show that it is just outside of the boundary. Notwithstanding, I note that the Council has no objection to the proposal from a heritage point of view. Therefore, there is no need to consider this matter any further.
4. The proposal (which has been constructed) is for replacement timber decking at the rear of the appeal dwelling. The appellant states that the decking is a replacement for an earlier structure (for which the Council has no record). Although the current proposal is 2.4m longer, the height of the decking is the same. I also noted at my site visit that there is timber screening along the side of much of the decking, which provides some screening between the appeal site and the neighbouring dwellings.
5. One of the neighbouring dwellings, Cavendish Coach House is located, at a lower level, on the boundary with the appeal site and on the same side as the decking. The Coach House contains a small bedroom window on the elevation facing the appellant's decking, albeit at a slight angle. The Council considers that the

proposal has resulted in an unacceptable loss of privacy to the occupants of Cavendish Coach House. It refers to a separation gap of approximately 6m. The Council states that the proposal conflicts with Policy CS12 of the Dacorum Core Strategy 2006-2031 (CS). This policy seeks to ensure (amongst other things) that development should avoid loss of privacy to surrounding properties.

6. At my site visit, I observed that the window in Cavendish Coach House is relatively small with some obscure, patterned glazing. Notwithstanding the relatively short separation distance, the combination of only a small area of clear glass and the angle of view, leads me to conclude that the proposal has not resulted in an unacceptable loss of privacy to the occupants of the neighbouring dwelling. Therefore, the proposal does not conflict with Policy CS12 of the CS.

Conditions

7. As the decking has already been constructed, the only condition necessary is one that lists the approved plans.

Conclusion

8. For the reasons given above, it is concluded that the appeal be allowed

Ian McHugh

INSPECTOR