



Appeal Decision

Site visit made on 18 March 2025

by Philip Willmer BSc Dip Arch RIBA

an Inspector appointed by the Secretary of State

Decision date: 9 April 2025

Appeal Ref: APP/B1930/D/25/3359020

67 De Tany Court, St Albans, Hertfordshire, AL1 1TX.

- 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 Mr and Mrs Middleton against the decision of St Albans City and District Council.
 - The application Ref is 5/24/0957 DC4.
 - The development proposed is described as *dormer loft conversion with rooflights, façade alterations*.
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Decision

1. The appeal is allowed and planning permission is granted for a dormer loft conversion with rooflights, façade alterations at 67 De Tany Court, St Albans, Hertfordshire, AL1 1TX in accordance with the terms of the application, Ref 5/24/0957 DC4, 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans, drawings: D142_A_100-rev P01, D142_A_101-rev P01 and D142_A_102-rev P01.

Preliminary Matter

2. From the Council's evidence I note that it raises no objections to the proposed roof lights in the side roof slope. Accordingly, while my decision will be made on the scheme proposal taken as a whole, my deliberations shall focus upon the merits of the proposed rear dormer window.

Main Issue

3. I consider the main issue to be the effect of the proposed dormer window on the architectural integrity of the host property and therefore whether the works would serve to preserve or enhance the character or appearance of the St Albans Conservation Area.

Reasons

4. The appeal property, 67 De Tany Court (No 67) is a semi-detached two-storey dwelling located in a relatively new residential cul-de-sac dating from the 1980's. Together with No 68, built in front of No 67, it is the last property in short terrace of houses.
5. This contemporary development is sited within the St Albans Conservation Area.
6. The appellants propose the conversion of the existing loft space to form an additional bedroom. A small flat roof dormer is proposed to the rear elevation along with two rooflights in the side elevation.
7. I note that there are no other dormers within the terrace. However, the eaves line of the principal façade of the terrace is broken up by the insertion of gable hoods to some of the first-floor windows.
8. The proposed flat roof dormer has been designed to sit below the ridge line of the main roof, well above its eaves line and well within the rear roof of the terrace. It would be built into the existing valley formed in the existing roof. Due to its size, location and form it would appear as a modest addition to the roof of the terrace.
9. I appreciate that flat roof dormers are not a feature of the design of this particular residential development. Nevertheless, a flat roof to the dormer is a perfectly legitimate form of roof here, given that it serves to reduce the overall mass and form of the dormer, and thereby its visual intrusion on the roof of the terrace.
10. The proposed pallet of materials from which the dormer would be built would match those of the host property. Given this and its diminutive and very subservient three-dimensional form and location I do not consider from my observations on the occasion of my site visit that it would appear as a significant intervention in the either the terrace, the estate of which No 67 is part or indeed the wider conservation area.
11. I conclude that the proposed dormer would not cause harm to the architectural integrity of the host property and that it would have a negligible visual impact on the appearance of De Tany Court and the wider area. I have therefore concluded on the main issue that the proposal, while it would not necessarily enhance the character and appearance of the conservation area it would nevertheless serve to preserve it. It would therefore accord with the objectives of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the National Planning Policy Framework and saved Policies 69, 72 and 85 of the City and District of St Albans District Local Plan Review (Adopted 30 November 1994) as they relate, along with other things to the preservation or enhancement of the character or appearance of conservation areas.

Other Matters

12. The Council is concerned that allowing this dormer would set an undesirable precedent which would make it difficult for it to resist similar development elsewhere within the De Tany Court development. Although, as identified by the appellants there are four houses of the same type as No 67. Three are clearly visible from the public domain within the development. Accordingly, the

local planning authority would be able to assess any such proposal on its individual design and planning merits as I have done here, thereby further dormers would not automatically harm the consistency of the design of the built form of the estate.

Conditions

13. The conditions, which I have considered in light of the advice in the Framework and the Planning Practice Guidance follow from those suggested by the Council.
14. To ensure a high-quality development, I shall include a condition about the materials to be used in the construction of the external surfaces of the building.
15. In the interests of certainty, I shall impose a condition requiring the development to be undertaken in accordance with the approved plans.

Conclusions

16. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

Philip Willmer

INSPECTOR