
Appeal Decision

Site visit made on 8 October 2025

by R Sabu BA(Hons), MA, BArch, PgDip, RIBA, ARB

an Inspector appointed by the Secretary of State

Decision date: 16 October 2025

Appeal Ref: APP/B1930/W/25/3368989

110 Clarence Road, St. Albans, Hertfordshire AL1 4NQ

- 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 Netherdown Herts Ltd against the decision of St Albans City Council.
 - The application Ref is 5/24/0171.
 - The development proposed is de-conversion of property back to a single dwelling and erection of single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for de-conversion of property back to a single dwelling and erection of single storey rear extension at 110 Clarence Road, St. Albans, Hertfordshire AL1 4NQ in accordance with the terms of the application, Ref 5/24/0171, subject to the conditions in the attached schedule.

Preliminary Matter

2. I observed during my site visit that demolition was underway such that the internal layout did not reflect that shown in the existing floor plan drawings. In any event, I have assessed the scheme based on the drawings before me.

Main Issue

3. The main issue is whether the proposed development would accord with the Council's development plan strategy for the loss of housing.

Reasons

4. The existing building comprises 5 flats. The proposal consists of the conversion of the building into a single dwelling and single storey rear extension. As such, it would result in the loss of 4 dwellings.

5. Policy 10 of City and District of St Albans District Local Plan Review Adopted 30 November 1994 Written Statement (LPR) relates to the loss of residential accommodation. It resists proposals which would result in a net loss of dwellings apart from a number of exceptions.

6. The listed exceptions relevant to this appeal include circumstances where it is impractical to retain an existing dwelling because satisfactory and viable living conditions cannot be created.

7. A number of the living and bedroom spaces as shown in the existing floor plans are of limited floor areas such that they would result in cramped and therefore unsatisfactory living conditions for any occupiers. In addition, the floorspaces of the

existing flats do not comply with the requirements contained in the Nationally Described Space Standards (NDSS).

8. Moreover, the accesses to the flats are in awkward locations. The access driveway leading to the rear of the site is narrow such that future occupiers would be unlikely to access the parking area. Furthermore, the parking area appears to be an insufficient size for the likely number of occupiers that could be accommodated in the existing building. Therefore, even if the building had been maintained and in a good condition, the existing dwellings would not provide satisfactory living conditions for the occupiers.

9. A Structural Assessment Report (SAR) was submitted with the application and appeal which states that the property is in need of updating and refurbishment throughout except within Flat 1. The SAR indicates that subject to recommendations in the report and identified repairs being carried out, future difficulties upon re-sale are not foreseen. However, the evidence relating to costs indicates that refurbishment of the building as 5 dwellings would result in a significant loss for the Appellant and would therefore not be viable.

10. The evidence also indicates that conversion of the property to fewer dwellings would be unviable. While further details such as associated costs are not before me, given the extent of repairs required to bring the existing units to reasonable condition, it is likely that conversion of the building to 2 to 4 units would also be unviable.

11. For the foregoing reasons, it would be impractical to retain the existing dwelling because satisfactory and viable living conditions cannot be created, and the scheme would comply with this exception in LPR Policy 10.

12. Consequently, the proposed development would accord with the Council's development plan strategy for the loss of housing. Therefore, it would not conflict with LPR Policy 10 which resists the loss of dwellings subject to exceptions.

Other Matters

13. I note the evidence regarding the Government's objective of significantly boosting the supply of homes, the absence of a 5 year housing land supply and the need for units of the type in the existing building. However, as I have found that the proposal would meet the exception in LPR Policy 10 and would thereby accord with the development plan as a whole, these matters have not altered my overall decision.

Conditions

14. Conditions relating to time limits and specifying plans are necessary in the interests of certainty. In order to safeguard the living conditions of future occupiers, conditions relating to remedial measures and obscured glazing are necessary. In the interests of highway safety, a condition relating to the height of the front wall and hedge is also necessary.

Conclusion

15. For the reasons given above, the appeal should be allowed subject to conditions.

R Sabu INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos PP-12752330v1, 6120 100 Rev F, 6120 110 Rev B, 6120 111 Rev A, 6120 112 Rev C, 6120 133 Rev C, 6120 210 Rev E and 6120 211 Rev E.
- 3) Prior to occupation of the dwelling, the remedial measures recommended in Section 7 of the Structural Assessment Report shall be fully implemented.
- 4) The building/extension hereby permitted shall not be occupied until the windows at the first and second floor side elevations facing towards No.108 and 112 Clarence Road have been fitted with obscured glazing, and no part of those windows that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the windows are installed and once installed the obscured glazing shall be retained thereafter.
- 5) The height of the proposed front brick wall and hedge should not exceed 600m in accordance with Drg No. 6120 100 Rev F.

END OF SCHEDULE