



Appeal Decision

Site Visit made on 19 January 2021

by Bhupinder Thandi

an Inspector appointed by the Secretary of State

Decision date: 29 January 2021

Appeal Ref: APP/B1930/D/20/3261327

34 Townsend Lane, Harpenden AL5 2QS

- 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 J Godefroy against the decision of St Albans City Council.
 - The application Ref 5/20/0839, dated 7 April 2020, was refused by notice dated 10 September 2020.
 - The development proposed is partial single storey demolition replacement with two storey rear extension, internal amendments.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.

Main Issues

3. The main issues are:
 - The effect of the proposed development upon the character and appearance of the host property as a non-designated heritage asset and the area, including whether it would preserve or enhance the character or appearance of the Harpenden Conservation Area (CA); and
 - The effect of the proposed development upon the living conditions of existing neighbouring occupiers with specific regard to privacy.

Reasons

Character and appearance

4. The appeal property comprises a two storey Edwardian dwelling with a half hip roof located within a CA. The front elevation appears to retain much of its original architecture and detailing whilst the rear of the appeal property has been substantially altered. The extensions obscure most of the original rear elevation and its modern appearance contrasts to the historic Edwardian front.

5. The National Planning Policy Framework (the Framework), at paragraph 197, sets out in weighing applications that directly or indirectly affect non-designated heritage assets a balanced judgement is required having regard to the scale of any harm or loss of the significance of it.
6. I acknowledge that the proposed roof design would not match that of the host property. However, in my view this would not be unacceptable. The proposed development would be subservient to the host dwelling incorporating sympathetic materials and detailing. Taking into account the already modern appearance of the rear I find that the proposed development in terms of its scale and design would be acceptable successfully juxtaposing modern alterations and the historic form of the building resulting in a pleasing appearance. As such, I find that the proposed development would not harm the character and appearance of the host property or undermine its historic or architectural significance.
7. As such the proposed development would accord with Policies 69, 72 and 87 of the St. Albans District Local Plan Review (1994) (LP) which, amongst other things, seek a high standard of design, extensions that are compatible with the original building and proposals to preserve architectural or historic interest.
8. It would also accord with Policy ESD1 of the Harpenden Neighbourhood Plan (2019) (NP) which, amongst other things, seeks visually attractive and high quality design developments.

Harpenden CA

9. The significance of this part of the CA is derived from large properties of varying ages and designs sitting within generous plots. The noticeable separation between properties creates a spacious residential scene. The presence of landscaping and trees creates a semi verdant environment and reinforces the sense of openness.
10. There would only be glimpsed views of the proposed development from the street and it would maintain the gaps between properties. Given the varied design of houses in the area it would not appear as an incongruous addition. I have also found that it would not undermine the historic or architectural significance of the host property. In my judgement, the proposed development would preserve the significance of the Harpenden CA in accordance with the Framework and Policy 85 of the LP which, amongst other things, requires development to be sympathetic to its surroundings and the CA and enhance or preserve its appearance.
11. It would also accord with Policy ESD2 of the NP which, amongst other things, requires developments to be considerate of and make a positive contribution to local character and heritage.

Living conditions of existing occupiers.

12. I note that there is a degree of mutual overlooking between the appeal property and neighbouring property No 32. Notwithstanding the size and position of the existing terrace the proposed terrace would provide an elevated vantage point towards the rear of No 32 and its rear garden leading to

additional overlooking opportunities and a resultant loss of privacy. I find that this impact would be materially greater compared to the existing situation.

13. Whilst landscaping exists along part of the boundary there is no substantive evidence to indicate it would remain for the lifetime of the development such that it would screen the terrace. As such I give the presence of planting limited weight in coming to my decision.

14. Due to the height and position of the terrace I conclude that the proposed development would adversely affect the living conditions of neighbouring existing occupiers with particular regard to loss of privacy contrary to Policy 72 of the LP which, amongst other things, requires extensions to dwellings not to unacceptably harm the amenity of adjoining properties.

Conclusion

15. For the reasons set out above the appeal does not succeed.

Bhupinder Thandi

INSPECTOR