

Appeal Decision

Site visit made on 15 May 2017

by Zoe Raygen Dip URP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 26 May 2017

Appeal Ref: APP/Y1945/W/17/3167283

127 and 129 High Road, Watford WD25 7AP

- 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 Jon Gomme against the decision of Watford Borough Council.
 - The application Ref 16/01200/FUL, dated 31 March 2016, was refused by notice dated 2 November 2016.
 - The development proposed is creation of new boundary to garden of two existing semi-detached houses to form two new three bedroom semi-detached dwellings with off-street parking.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are firstly the effect of the proposal on the character and appearance of the area and secondly, whether the proposal will provide an acceptable level of living conditions with particular regard to garden space.

Reasons

Character and appearance

3. Nos 127 and 129 High Road form a pair of semi-detached, two storey cottages on the corner of High Road and Chapel Close. Properties on Chapel Close are a mix of two and three storey terraced houses set back from the road to allow off street parking to the front. As a result, even though the houses are high, the set back and lack of boundary treatment between them gives an open character to the street. Each terrace has a fairly uniform design with simple shallow pitched roofs, giving a strong vertical rhythm to the street. Windows though have a regular horizontal emphasis extending across the front elevation of most houses. Gardens to the rear are mostly hidden by the houses but glimpses of trees and planting can be seen between the groups of terraces.
 4. The appeal site forms part of the rear gardens of Nos 127 and 129 and is enclosed by a high fence. To the north-west of the site is an electricity sub-station and narrow footway. In contrast to the northern side of the street therefore, the south side, where the appeal site is located, is undeveloped contributing to the open character of Chapel Close.
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5. The proposal is for two houses, one two storey and one three storey with asymmetric roofs. The size, bulk and massing of the houses would be broadly similar to those existing. Furthermore house 2 would be set back from the road similar to the existing pattern of development. However, house 1 would only be set back by a very limited distance from the road presenting a large three storey elevation adjacent to the footway. While the houses to the north-west have a large visible flank elevation, these are set back from the footway by some distance. The proximity of house 1 to the footway and the size of the side elevation would lead to an uncharacteristic degree of enclosure to the street eroding the existing openness.
6. The asymmetric roofs would be an attempt to match the saw tooth profile of the existing terrace to the north-west. However, the simplicity of the roof design on existing houses would be lost. Instead the proposed design would give the roof planes dominance in the street particularly when viewed from the east and west. Furthermore, the seemingly random placement of windows on the appeal proposal is at odds with the regular rhythm of fenestration displayed in the street. This is exacerbated by the introduction of windows above eaves level which my attention has not been drawn to elsewhere on the street.
7. The combination of the above factors would lead to the introduction of two houses that fail to respect the existing regular rhythm of development in the street. In conjunction with the proximity of house 1 to the road this would lead to the houses being particularly obtrusive and incongruous, failing to integrate harmoniously in the streetscene.
8. The National Planning Policy Framework (the Framework) is clear that innovation in design should not be stifled (paragraph 60). However, it also states that it is proper to seek to promote or reinforce local distinctiveness. It seeks to ensure that new development relates well to neighbouring buildings (paragraph 59) and that development is integrated into the built and historic environment (paragraph 61). One of its key principles is that planning should always seek to secure high quality design (paragraph 17). The appeal scheme would fail to accord with these aims.
9. For the reasons above I conclude that the proposal would be harmful to the character and appearance of the area. It would therefore be contrary to Policy UD1 of the Watford Local Plan Part 1 – Core Strategy 2006-31 (CS). This requires that development respects and enhances the local character of the area in which it is located.

Living conditions

10. The Council's Residential Design Guide 2014 (RDG) sets out the minimum standards for the size of private garden space for new residential development. Both proposed properties are described as being three bedroom. I would concur with the Council though that both include additional rooms that could be used as bedrooms.
11. Accordingly the RDG requires that both have access to a private garden space of 80 sq m. There is no dispute that house 1 has a shortfall of 8 sq m and house 2, 27 sq m. Instead the appellant relies on the proposed gardens matching the size of existing gardens in Chapel Close and the principle established by a grant of planning permission for dwellings to the rear of 97a High Road (14/01162/ FUL)

12. The properties on Chapel Close were built well before the adoption of the RDG and therefore were not subject to the same standards. The Council has confirmed that the gardens of the four houses constructed at 97a High Street have gardens in excess of 80 sq m. The application is not therefore directly comparable to the proposal before me now.
13. The houses have the potential to be four bedroom and therefore are likely to attract families. The garden space for house 1 would not be significantly below the required amount of private space for four bedroom houses. Nonetheless, its configuration means that the space to the south of the dwelling would have a very limited depth and therefore functionality.
14. The garden for house 2 would be far smaller than that at house 1 and significantly below the required standard in the RDG for both a three and four bedroom house. The rear garden would be particularly narrow with an even narrower section at the side. While therefore both gardens would face south-west and would accommodate a seating area, the size and configuration would provide very little space for other everyday garden use, particularly for a family.
15. The appellant has referred to the existence of parks within walking distance of the site to provide further space for future occupiers. However, such provision would not be private and in any case the RDG does not allow for off-site provision.
16. For the reasons above I conclude that the proposed houses would not provide an acceptable level of living conditions with particular regard to garden space. It would therefore be contrary to paragraph 7.3.22 of the RDG, Policy UD1 of the CS and paragraph 17 of the Framework. These set out the minimum requirements for garden space and require that development secures high quality design and a good standard of amenity for all future occupants of buildings.

Other matters

17. Local residents refer to the "Privacy Arc" and the "25 Degree rule" contained in the RDG. I have though been supplied with no further information regarding these rules. From my observations on site, the intervening distances between the proposed two houses and the surrounding residential properties would be sufficient to ensure that the houses would not cause an unacceptable overbearing effect or loss of privacy for existing occupiers. This is reinforced by the use of obscure glazing, angled windows and brick perforations.
18. At the time of my site visit there were a number of cars parked on Chapel Close including some alongside the appeal site. The proposed houses would have two parking spaces each, which would be in accordance with the Council's maximum parking standards. The installation of a drop kerb as part of the proposals would prevent future on street parking in this location, improving visibility towards the junction.
19. On street parking is unrestricted within the area and while I appreciate residents' concerns, I have seen no substantive evidence to suggest that the proposal would cause material harm to highway safety. In this respect I note that the Highway Authority has not objected to the proposal. Furthermore, the effect of the proposal on highway safety or on the living conditions of existing

residents was not part of the Councils reason for refusal. I have seen nothing to lead me to disagree with the views of the Council with regard to the effect of the appeal proposal on these issues.

Conclusion

20. For the reasons set out above, having had regard to all other matters raised, I conclude that the appeal should be dismissed.

Zoe Raygen

INSPECTOR