



Appeal Decision

Site visit made on 18 September 2019 by Scott Britnell MSc FdA

Decision by R C Kirby BA(Hons) DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 October 2019

Appeal Ref: APP/Y1945/W/19/3232506

133 Hempstead Road, Watford, WD17 3HF

- 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 ARK Developers Ltd against the decision of Watford Borough Council.
 - The application Ref 19/00404/FUL, dated 5 April 2019, was refused by notice dated 31 May 2019.
 - The development proposed is demolition of existing detached dwelling and erection of x 2 no. five-bedroom detached dwellings.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The effect of the proposal on the character and appearance of the area.

Reasons for the Recommendation

4. The appeal site comprises a detached dwelling set within a large rectangular plot on the west side of Hempstead Road. The dwelling is set back from the road with the front garden laid to lawn and a drive-way leading to a garage. It has red brick elevations and a hipped roof with its ridge sitting perpendicular to the road. The surrounding area is characterised by a range of dwelling designs set back from the road in similar spacious plots. Although the gaps between the buildings varies along the road, the area has an open, spacious character with mature trees and landscaping giving it an attractive sylvan appearance.
5. The majority of the mature landscaping upon the site is proposed to be retained and as such the sylvan appearance of the site would remain. However, the two new dwellings would be sited close to the party boundary with Nos 131 and 135 Hempstead Rad. They would also be sited in close proximity to each other. This would result in an uncharacteristic development in the area, with the new dwellings appearing cramped upon the plot and in relation to each other.

6. Moreover, the resultant plot sizes would be significantly smaller than nearby development. While the appellant states that no hard boundary would be created to divide the plot to the front, the proposed site plan shows what appears to be a solid structure serving this function. Even without this element, the proposal would create two distinct and relatively narrow plots in an area where plots are characteristically much wider, which would harm the character and appearance of the site and surrounding area.
7. Although the area is characterised by a mixture of architectural designs, including gable features and hipped roof designs, the proposal's roof design with a large expanse of flat roof would introduce an incongruous roof form into this attractive area. The appellant argues that the flat roof would be barely discernible or at all visible from street level. However, while the flat roof itself would be hidden from view, its shape and design would be apparent from public views along Hempstead Road through the trees along the site's frontage, as well as from neighbouring properties. Moreover, good design is indivisible from good planning. In this case, the roof design appears contrived and would imbue the dwellings with a box-like and top-heavy appearance. This is in contrast to the more restrained design of the existing dwelling and the more refined appearance of neighbouring and nearby properties.
8. I have been referred to the schemes at No 195 Hempstead Road, for two dwellings which the Council approved in 2016, and to the scheme for two dwellings at No 79 Hempstead Road, granted planning permission at appeal in 2009. The appellant argues that these decisions set a precedent for the proposal before me now. The Council state that the site at No 195 was 8 metres wider than the current appeal plot and that the site at No 79 was 1.5 metres wider (these figures are not disputed). The design of the dwellings differs to that before me and the scheme at No 79 was considered under a different development plan to that before me. The circumstances of these cases are not therefore comparable to the scheme before me and they do not provide justification for harmful development. In any event each planning application and appeal is considered on its merits.
9. In light of the foregoing I conclude that the proposal would result in substantial harm to the character and appearance of the area, in conflict with Policy UD1 of Watford's Local Plan, Part 1 - Core Strategy 2006 – 2031 (Adopted January 2013) and Chapter 12 of the National Planning Policy Framework (Framework), which collectively seek, among other things, for new development to respect and enhance local character, add to the overall quality of the area and be visually attractive as a result of good architecture and layout. Furthermore, the Framework makes it clear that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.

Other Matters

10. The appellant argues that the Council has not given appropriate weight to the contribution that the proposal makes to a more efficient use of the site, by providing two much-needed family homes, or that these homes would be considerably more energy efficient than the current dwelling. I have not been provided with any information relating to the housing needs for the area. Moreover, although the proposal would go some way to support the Government's objective of significantly boosting the supply of homes, this

would be at the expense of the attractive character and appearance of the area, in conflict with both national and local planning policy. I conclude that these matters do not outweigh the harm identified or lead me to determine the appeal other than in accordance with the development plan. As no information has been provided to demonstrate the energy efficiency of the new dwellings compared to the existing dwelling, this limits the weight that I can give to this matter in my consideration of the proposal.

Conclusion and Recommendation

11. For the reasons given above, and having regard to all other matters raised, I recommend that the appeal should be dismissed.

Scott Britnell

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

RC Kirby

INSPECTOR