
Appeal Decision

Site visit made on 10 December 2019 by John Gunn DipTP Dip DBE MRTPI

Decision by Kenneth Stone BSC(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th February 2020

Appeal Ref: APP/Y1945/W/19/3237302

Land Rear of 7 Sherwoods Road, Watford WD19 4AY

- 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 Ben Smith against the decision of Watford Borough Council.
 - The application Ref 19/00692/FUL, dated 14 June 2019, was refused by notice dated 7 August 2019.
 - The development proposed is the erection of a bungalow with two parking spaces, dropped curb and amenity space.
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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 main issue is the effect of the development on the character and appearance of the area.

Reasons for the Recommendation

4. The appeal site comprises part of the curtilage of 7 Sherwoods Road, a large detached house set within a substantial plot of land in a suburban area of Watford. The site is situated to the rear of the garden and currently contains a large wooden outbuilding with a low pitched roof. The rear garden contains several trees and shrubs.
5. Sherwoods Road is an attractive residential street containing mainly large two storey detached dwellings with large rear gardens and small landscaped front gardens. The spaces between the properties and mature landscaping results in an attractive residential environment.
6. The site fronts Lawson Grove, a short residential cul-de-sac containing 7 detached bungalows. The front gardens to No 1 Elm Avenue and the mature trees within the long rear gardens to Nos 9, 11 and 15 Sherwoods contribute positively towards an open and attractive green setting to the entrance of Lawson Grove. However, the outbuildings and the poorly maintained rear fencing to Nos 9, 11 and 15, which sit immediately to the rear of the footpath,

- provide a degree of enclosure to Lowson Grove. They are a negative element within the street scene.
7. The proposed bungalow would be set back from the road and would be in line with the brick outbuilding at No 9. The proposal would also result in the removal of an existing wooden outbuilding on the appeal site and a boundary fence. It would have a drive capable of accommodating 2 cars to the side of the bungalow and a small front garden enclosed by low planting. This would increase the openness of the northern side of Lowson Grove when approaching the site from Elm Avenue.
 8. Notwithstanding the above the appeal proposal would sit at the southern end of Lowson Grove on a sharp bend and would be visible throughout the majority of the cul-de-sacs length. It would be significantly higher than the existing shed and would appear a prominent and incongruous feature within the street scene. The open views to the rear of properties within Sherwoods Road, and their associated landscaping features would be limited. Consequently, the building would cause harm to the character and appearance of the area.
 9. I take note of the appellant's reference to the set back of the proposed bungalow and its comparison with the set back of No 1/1a at its south west corner. Whilst acknowledging that the proposed bungalow would lie a similar distance back from the footpath to the glazed extension at No 1/1a I note that the bulk of No 1/1a sits much further back. No 1/1a is not representative of other bungalows in Lowson Grove which sit well back from the pavement and have a more open character.
 10. At my site visit I noted the foliage of the trees on the appeal site looked sparse and their contribution to the character and appearance of the area was limited. However, I appreciate that this represents just a snapshot in time, and I acknowledge that the trees might provide a more verdant appearance at other times of the year. The Council has indicated, in their officers report, that the trees are not of sufficient quality to justify retention through a Tree Preservation Order and consider that their removal is acceptable in principle. Notwithstanding the above, the proposals indicate that a number of trees would be retained adjacent the boundary of the Appeal Site. Their retention could be secured by condition and would assist in providing a green backdrop to the development.
 11. I note that proposal is now for a 2 bedroom bungalow with a hipped roof as opposed to a 3 bedroom bungalow with gabled roof and dormer windows that was dismissed following a previous appeal (APP/Y1945/W/16/3142972). I also note that it is set further back from the highway, albeit marginally, and would be slightly lower than the dismissed scheme. However, it would have a similar site coverage. As a result, its impact on the character and appearance of the area would not be significantly different to the scheme previously dismissed. Consequently, whilst acknowledging that alterations have been made to the proposal, which weigh in favour of the proposal, I have no reason to conclude differently to the previous inspector insofar as the overall impact the proposal would have on the character and appearance of the area.
 12. I have given consideration to the Council's concern that development of the site would set a precedent for similar development on garden land in the vicinity. I have also noted the Appellant's views on the potential for further

residential development, particularly within the rear gardens of Nos 5, 9, 11 and 15. Whilst the erection of a bungalow on the appeal site might result in further applications and appeals on garden land within the vicinity of the site each proposal would have to be judged on their own individual merits with a full understanding of the characteristics of the site, including any constraints e.g. protected trees. I have therefore, as required, determined the appeal on its own merits.

13. I conclude that the development would result in harm to the character and appearance of the area, contrary to Policies UD1 and SS1 of Watford's Local Plan, Part 1 - Core Strategy 2006 – 31, saved Policy H8 of the Watford District Plan 2000 (Adopted December 2003), the Watford Borough Council - Residential Design Guide and National Planning Policy Framework (the Framework) which require new development to respect and enhance the local character of the area in which it is located, high standards of design and positively integrated approach to development.

Other matters

14. The appellant has made reference to the approach to housing development as set out in the Framework, which provides a presumption in favour of sustainable development. Sustainable development has three dimensions – economic, social and environmental. These dimensions should be sought jointly and simultaneously through the planning system. Good design is a key aspect of sustainable development.
15. In the light of my conclusions with respect to the effects on the character and appearance of the area the proposal would not be sustainable development and consequently would not be in accordance with the overarching aims of the Framework with respect to delivery of housing.
16. The proposal would not make a significant contribution to boosting the supply of housing or towards meeting the Borough's housing needs. The provision of one dwelling would not outweigh the harm to the character and appearance of the area.
17. The Council have alluded to the potential to expand into the roof space with the potential to harm the living conditions of future occupiers by reason of restricted internal height, poor light and outlook. In the event that the appeal was allowed a condition could be imposed restricting the use of the roof space to non-habitable uses.
18. I note that the Council have not opposed the proposal on highway grounds, and no objections have been received from the highway authority.
19. I acknowledge that the proposal would result in the introduction of an active frontage to Lawson Grove and as a consequence would improve natural surveillance to the area. However, whilst I give this matter limited weight it would not outweigh the harm to the character and appearance of the area.

Conclusion

20. I have found harm to the character and appearance of the area. That is the prevailing consideration. The scheme therefore conflicts with the development plan and there are no material considerations that would indicate a decision

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

J Gunn

APPEAL PLANNING OFFICER

Inspector's Decision

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

Kenneth Stone

INSPECTOR