



Appeal Decision

Site visit made on 11 February 2020

by Edward Cousins BA, BL, LLM, Barrister

an Inspector appointed by the Secretary of State

Decision date: 5 June 2020

Appeal Ref: APP/Y1945/W/19/3239364

45 Cassiobury Drive, Watford, WD17 3AA

- 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 Asam Majeed against the decision of Watford Borough Council
 - The application 19/00710/FULH, dated 17 June 2019, was refused by notice dated 21 August 2019
 - The development proposed is described as: Demolition of existing chalet bungalow and erection of six bedroom house.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the appeal development on the character and appearance of the area and on the living conditions of neighbours in respect of outlook and privacy.

Reasons

3. The appeal site lies within the Cassiobury Estate. The Estate developed in a somewhat piecemeal fashion between the 1920s and the late 1950s. Since then there has been only marginal subsequent development. The area has been characterised by what has been described as the "Metroland" aesthetic of domestic scale suburban architecture deriving its development from an original building scheme the origins of which lie in the early 1920s.
4. The Estate broadly conforms with a set of architectural guidelines set out in the original design criteria which provides a mix of detached "chalet" bungalows and two storey properties sited upon plots of varying widths. The original design criteria (with some subsequent exceptions) have been applied through the entire Estate. Cassiobury Drive is an example of a broad conformity to these guidelines in that the houses share common features such as pitched roofs, chimneys, gables and bay windows, and different plot widths. However, there are also examples in Cassiobury Drive, as noted in the Watford Character Appraisal, where variations in such detailing can be demonstrated.
5. The appeal site does not lie within a designated conservation area. Although a number of other properties within the Estate are subject to Article 4 Directions, the appeal site is not.
6. The appeal site currently comprises a detached chalet-type bungalow with a first floor constructed within the eaves of the roof. The properties either side

of the appeal site are bungalows. The overall width of the appeal site is 24.7 metres and is substantially wider than most neighbouring properties in Cassiobury Drive.

7. The proposed development seeks the demolition of the existing house and the erection of a two-storey dwelling house with a flat crown roof which would accommodate a loft extension. There is provision for five bedrooms on the first floor together with a further bedroom within the loft extension.
8. The front elevation of the proposed development would feature three projecting gables. Sited on each side of the centre gable would be constructed a hipped gable each of which would extend to the rear of the building. The two roofs lying above the side gables would intersect with the main roof so as to create a roof construction with a stepped-up middle formation with a small diagonal ridgeline which would connect with the main roof line. The ridge lines of the side gables would be 0.2 metres lower than the main ridge of the house. Three small dormer windows would be inserted in the pitched roof in the rear elevation below the flat crown roof.
9. The flank walls to the proposed development would be approximately one metre from the boundaries with the adjoining properties.
10. Currently the street design is distinctive in that it provides a sense of openness and community. In contrast, the proposed development would be characterised by a discordant design, poor detailing and considerable increase in bulk and mass across the entire plot.
11. As a consequence, by reason of its siting, its mass and scale, and its close proximity to neighbouring properties, the proposed development would overwhelm and fail to respect the character sympathy and the integrity of the relationship between it and its neighbours. Further, it would have a strikingly harsh visual impact, and be out of keeping with, and harmful to the character and appearance the streetscape.
12. In essence, therefore, by virtue of its bulk and scale the proposed development would be incongruous and monumental, and its design would be insensitive to, and fail to respect, the character and sympathy of the neighbouring properties. It would therefore be out of harmony with the size, scale and character of the properties within the street as a whole and would be detrimental to the character and appearance of the street scene.
13. I therefore consider that the proposed development would be contrary to the following: Policies SS1 (Special Policy Areas), and UD1 (Delivering High Quality Design) of the Watford Local Plan Core Strategy 2006-31; and Sections 7 and 8 of the Watford Borough Council's Residential Design Guide 2016, in particular 7.1 (Responding to context), 7.2 (Getting the right layout), 7.3 (Building form – building scale and size, privacy and outlook), 7.4 (Detailing), 8.3 (Respecting the Streetscene), 8.4 (Neighbourliness), and 8.11 (Additional Guidance: Roof Extensions and Changes to Roof Forms); and paragraph 130 (Achieving well-designed places) of the Framework. This seeks to achieve well-designed places, and in particular that permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area and the way it functions.

Living conditions

14. The proposed development is to be constructed in close proximity to the northern and southern boundary of the plot. I consider that the width of the proposed development is excessive and would dominate its immediate neighbours, to their detriment. I further consider that the unrelieved flank side elevations would have an impact upon the immediate neighbours, particularly to property on its northern boundary and would overwhelm that property.
15. Furthermore, it is proposed that at the rear of the proposed development on each side at first floor level there would be two balconies. I appreciate that these balconies would be recessed behind side walls. However, by virtue of their height and proximity to adjoining properties I consider that the proposed first floor rear balconies would lead to an unacceptable loss of privacy to neighbouring gardens on each side, as the occupiers of the balconies would have uninterrupted views over such areas. This negative impact in my view, is not mitigated by the recessing of both balconies.
16. Thus, by virtue of its mass the two storey structure would be clearly apparent to, and would loom over, the adjoining gardens. All of this would result in a significant impact on the privacy and amenity space of the residents of those houses.
17. I conclude that the proposed development would cause harm to the living conditions of the immediate neighbours in respect of privacy and outlook. As a result the proposed development would be contrary to the following: Policies SS1 (Special Policy Areas), and UD1 (Delivering High Quality Design) of the Watford Local Plan Core Strategy 2006-31; and Sections 7 and 8 of the Watford Borough Council's Residential Design Guide 2016, in particular 7.1 (Responding to context), 7.2 (Getting the right layout), 7.3 (Building form – building scale and size, privacy and outlook), 7.4 (Detailing), 8.3 (Respecting the Streetscene), 8.4 (Neighbourliness), and 8.11 (Additional Guidance: Roof Extensions and Changes to Roof Forms); and Chapter 12 (Achieving well-designed places) of the Framework.
18. I therefore conclude that the proposed development is an intense, insensitive and inappropriate overdevelopment of the appeal site.

Conclusion

19. Therefore, for the reasons set out above the appeal should be dismissed.

Edward Cousins

INSPECTOR