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# Appeal Decision

Site visit made on 15 September 2020

Inspector appointed by the Secretary of State

Decision date: 7<sup>th</sup> October 2020

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**Appeal Ref: APP/Y1945/D/19/3244505**  
**18A Woodford Road, Watford WD17 1PA**

- 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 Khan against the decision of Watford Borough Council.
  - The application Ref 19/01105/FULH, dated 23 September 2019, was refused by notice dated 19 November 2019.
  - The development proposed is 2<sup>nd</sup> floor rear extension.
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## Decision

1. The appeal is allowed, and planning permission is granted for a 2<sup>nd</sup> floor rear extension at 18A Woodford Road, Watford WD17 1PA in accordance with the terms of the application, 19/01105/FULH, dated 23 September 2019, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Proposed plans and elevations (SHT.NO1), Existing plans and elevations (SHT.NO1) and Site location map.
  - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

## Main Issues

2. The main issues in this appeal are the effect of the proposed development on:
  - the character and appearance of the site and surrounding area; and
  - the living conditions of the occupiers of the neighbouring property, with particular reference to outlook and privacy.

## Reasons

### *Character and appearance*

3. The appeal site is a 3 storey end of terrace property. The row of terraces are of a relatively modern design with flat roofs and small driveways to the front. This is in contrast to the nearby Victorian style properties. The surrounding area contains a mixture of uses including a retail unit, public houses, a train station with the railway lines running behind the property, offices and residential properties. The host property has existing extensions on the rear elevation,

which are on the ground and first floors. There is also an existing outbuilding in the garden area.

4. The proposal would introduce a second floor extension at the rear, and it would be situated over a previously erected part single part, double storey rear extension. The submitted plans show that the proposed rear extension would be 3m deep and 3m wide, which would match the extension on the floor below. It would have one rear window and a flat roof, and it would have materials and fenestration to match the existing extension.
5. The proposed extension would be sited on the second floor and at the rear of the dwelling, as such it would not be readily visible from the front of the property. Therefore, the proposal would not harm the street scene along Woodford Road. The proposal would be relatively modest in scale and size, and would align with the existing extension that is already in place. The roof of the extension would be set lower than the original building roof and due to its size, it would not dominate the form of the host property. Therefore, it would appear subordinate to the host property in terms of its size, design and overall appearance.
6. The proposed development would not harm the character and appearance of the site or surrounding area. Therefore, it would accord with Policy UD1 of the Watford's Local Plan Part 1 Core Strategy (CS) (2013) and the Residential Design Guide (RDG) (2016). This policy and guidance, amongst other things, requires development to respect and enhance the local character of the area in which it is located.

#### *Living conditions*

7. The neighbouring property at No 18 Woodford Road has a large single storey rear extension, which extends approximately 6 metres from the rear elevation. The proposal would be set back a reasonable distance from the neighbouring property and its outdoor space and would follow the building line of the existing extension on the host property. Due to the set back and the limited scale of the proposal, it would mean that the proposal would not be likely to have an overbearing effect on outlook from either the garden or habitable rooms of the neighbouring property.
8. In respect of privacy, the property is part of a row of terraces, therefore, there is already an element of overlooking from the existing windows at the rear of all the properties. Furthermore, the proposal would follow the fenestration of the existing extension below. Consequently, it would not significantly alter the existing situation in terms of privacy. The proposal would not, therefore, have any significant impact on the neighbouring property in terms of either outlook or privacy.
9. I note that an interested party has raised issues around the effect on daylight and sunlight. However, the Council has identified that the proposal would not significantly harm the occupiers' access to sunlight and daylight. Given the positioning of the proposal to the north west of the neighbouring property and the evidence before me, I have no reason to disagree with this assessment.
10. The proposed extension would not harm the living conditions of the occupiers of the neighbouring property, with particular reference to outlook and privacy. Therefore, it would accord with Policy UD1 of the CS and the RDG. This policy

and guidance, amongst other things, requires development be high quality and not adversely affect the level of amenity enjoyed by the occupiers of neighbouring properties.

### **Other Matters**

11. An interested party has raised issues around an abatement order, poor quality workmanship and development deviating from submitted plans. However, these are not determinative factors for the appeal.

### **Conditions**

12. In addition to the standard condition which limits the lifespan of the planning permission, I have specified the approved plans for the avoidance of doubt and in the interests of proper planning. A condition relating to materials is necessary to ensure that the appearance of the extension would be satisfactory.
13. The Council has suggested that no additional windows should be inserted in the western side elevation or the eastern side elevation of the extension to prevent overlooking and loss of privacy to the neighbouring properties. However, this is not necessary as there is already an element of overlooking to the rear of the properties as the dwellings are terraced.

### **Conclusion**

14. For the reasons set out above the appeal is allowed.

INSPECTOR