
Appeal Decision

Site visit made on 1 September 2020

by D Peppitt BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th October 2020

Appeal Ref: APP/Y1945/D/20/3245376
48 Rickmansworth Road, Watford WD18 7HS

- 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 John Price against the decision of Watford Borough Council.
 - The application Ref 19/01056/FULH, dated 9 September 2019, was refused by notice dated 7 November 2019.
 - The development proposed is 2 storey side annex for elderly family member.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application form for the proposal stated that the site address of the property was No 43 Rickmansworth Road. However, the appeal property referred to in the Council's decision notice and the appellant's appeal form is No 48 Rickmansworth Road. Therefore, I have amended the site address in the banner heading to reflect this.

Main Issues

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

Reasons

Character and appearance

4. The appeal site contains a 2 storey, detached dwelling along with a detached garage to the side of the property. The surrounding area is predominately residential, and the nearby properties are generally characterised by detached dwellings set back from the road with driveways to the front, and large gardens to the rear. To the front of the appeal property, there is an area of hardstanding for parking, along with a low brick wall and landscaping. To the

east of the property, there is an access road for the adjacent properties, which runs along the boundary of the appeal site.

5. The proposal would demolish the existing garage and replace it with a two storey side annex for an elderly family member. The proposal would be higher, wider and deeper than the existing garage. The proposal would fill the gap that currently exists between the property and the garage, and due to the bulk and massing of the proposal, along with the fenestration and design, it would not appear subservient to the host property. Furthermore, the introduction of an additional door at the ground floor, would make the proposal appear as a new separate dwelling, at odds with the street scene. The proposal would have the form and appearance of a semi-detached dwelling and would appear as a cramped and incongruous feature within the street scene, particularly when compared to the adjacent properties.
6. The appellant has made reference to other property types nearby, including some which have been extended. However, Rickmansworth Road is relatively long, and the immediate context for the proposal is that of detached dwellings, particularly on the northern side of the road. However, I do not have full details of the schemes before me, either to determine their planning status or what may have led to their approval. Therefore, I am unable to determine if they are directly comparable. In any case, each proposal must be determined on its own planning merits and within its own context.
7. The proposal would harm the character and appearance of the site and surrounding area. Therefore, it would be contrary to saved Policy H9 of the Watford District Plan (2000) and Policies SS1 and UD1 of the Watford Local Plan Core Strategy (CS) (2013). These policies, amongst other things, require development to be high quality and protect and enhance the character of the area.

Living conditions of the occupiers of the neighbouring properties

8. The Council has suggested that the proposal could be used as a separate property and be independent from the host property, and that it would result in harm to privacy and outlook for the existing occupiers. However, the proposal has been submitted as an annexe for an elderly family member and the use of the property could be secured by an appropriately worded condition, were I minded to allow the appeal. Therefore, as the proposal would be used by a family member, it would not be harmful to the occupiers of the host property.
9. In terms of the effect on No 46 Rickmansworth Road, this property is separated from the development by an access road which runs along the boundary and provides access to the garages to the rear of No 46 and No 44. The side wall of No 46 has a number of windows, some of which are obscured glazed. However, these already look onto the existing garage and the host property, and there is a reasonable distance between them given the access road that separates them. Furthermore, the proposal does not contain any windows to the side with No 46, therefore, there would be no loss of privacy.
10. Accordingly, the proposal would not harm the living conditions of the occupiers of the neighbouring properties. Therefore, it would accord with Paragraph 127 of the National Planning Policy Framework (the Framework) and the guidance in the Residential Design Guide (RDG) (2016). These require, amongst other things, for development to have a high standard of amenity for existing and

future users and to not adversely affect the level of amenity enjoyed by the occupiers of neighbouring properties. The Council has referred to Policy SD1 of the CS in its reason for refusal, however, this relates to sustainable design, which is not relevant to this main issue.

Living conditions of the future occupiers

11. In its reasons for refusal, the Council stated that the proposal would have poor amenity, due to the front facing window facing on to a car parking space and that it would adjoin an access driveway.
12. I observed on my site visit that most houses nearby, due to their set back from the road, have hardstanding or parking areas to the front of the property. In any case, the parking area outside the property is of a sufficient size that vehicles would not need to be parked immediately adjacent to the proposal. Therefore, the proposal would still have a reasonable outlook.
13. In terms of the access driveway to the side of the proposal, it is currently only used by the 2 neighbouring properties to access their respective garages. The proposal has no windows proposed on that side of the development and the users of the access driveway would not have direct views into the proposal. The frequency of vehicles using this access is unlikely to be high, and there is no evidence before me to suggest that it would. Furthermore, given the general background noise of vehicles on the road and vehicles using the front driveways for parking, I consider that the future occupiers of the proposal would not be subjected harmful levels of noise and disturbance.
14. Consequently, the proposal would not harm the living conditions of the future occupiers of the proposal, with particular reference to outlook, privacy and noise and disturbance. Therefore, it would accord with Paragraph 127 of the Framework and the guidance in the RDG. These require, amongst other things, for development to have a high standard of amenity for existing and future users and to not adversely affect the level of amenity enjoyed by the occupiers of neighbouring properties. The Council has referred to Policy SD1 of the CS in its reason for refusal, however, this relates to sustainable design which is not relevant to this main issue.

Conclusion

15. Whilst I have identified that the proposal would be acceptable in terms of the effect on the living conditions, it would harm the character and appearance of the site and surrounding area. Therefore, I conclude that the appeal is dismissed.

D Peppitt

INSPECTOR