



Appeal Decision

Site visit made on 13 October 2020

by William Cooper BA (Hons) MA CMLI

an Inspector appointed by the Secretary of State

Decision date: 2nd November 2020

Appeal Ref: APP/Y1945/W/20/3255401

4 Rosslyn Road, Watford, Herts WD18 0JY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 as amended against a refusal to grant planning permission.
 - The appeal is made by S Sanotra against the decision of Watford Borough Council.
 - The application Ref: 19/01317/COU, dated 12 November 2019, was refused by notice dated 8 January 2020.
 - The development proposed is described as change of use from residential to C1 to create 11 bedroom bed & breakfast.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appeal statement submitted by the appellant sets out that their surname was spelt incorrectly as Sumotra on the planning application form, and corrects it to Sanotra.

Main Issue

The main issue is the effect of the proposed development on the housing mix and character of the area.

Reasons

3. The appeal site comprises a large semi-detached house on the western side of Rosslyn Road. It is located close to the north-western edge of Watford town centre.
4. The number and type of properties on the street is a matter of dispute between the main parties, with a range of between 12 and 19 argued. From what I saw during my site visit, 12 plots front onto Rosslyn Road, and a further four buildings turn the corner from adjoining streets onto Rosslyn Road. Five of the properties fronting onto Rosslyn Road comprise purpose-built two or three-storey apartment buildings and two, including the appeal property, are large two-storey houses. Another property comprises a new apartment development which is under construction. One property has been converted to a dental practice with four apartments over it. Two properties have been converted to care homes. One is a five-storey carpark. Of the corner properties, two comprise office buildings and two appear to be apartment conversions.
5. The supporting text for Saved Policy H13 of the Watford District Plan (2000) (DP) sets out that 'residential frontage in the street block' (RFSB) will normally

be defined as a group of properties situated on two sides of a street extending between two road junctions or side streets. For the purposes of determining this appeal, I take the street block to mean the stretch of street between Rosslyn Road's junctions with Rickmansworth Road and Upton Road. Accordingly, I consider the RFSB to comprise the 12 properties fronting onto Rosslyn Road and the other four which face onto it, thus totalling 16 properties.

6. Policy H13 of the DP sets out that the subdivision or conversion of existing dwellings would be supported providing, that, amongst other things, the proposal would a) not result in more than 10% of the existing RFSB consisting of a mix of conversions, HMO or guest houses, and b) not unacceptably alter the character of that street block or the immediate neighbourhood.
7. The supporting text for Policy H13 of the DP refers to the importance of safeguarding the character of established residential streets largely used for family occupation. Drawing on this, the appellant considers that Policy H13 seeks to protect character that is defined by suburban 'family-scale' dwellings, that the street is not defined by such character and so Policy H13 of the DP is inappropriate to apply to Rosslyn Road.
8. Nevertheless, the supporting text for Policy H13 of the DP sets out that conversions should only be allowed where they will not harm the character of an established residential area or overall housing mix. The supporting text for Policy HS13 sets out that each case should be considered on its individual merits and how it will impact on the locality, having regard to the street's overall character and layout. Policy H13 covers sub-division of 'existing dwellings' and neither the policy nor its supporting text specifies that protection of residential character should be restricted solely to streets which mainly comprise traditional style larger family houses.
9. Towards the north-western end of the street, the residential character is diluted by the presence of the dental practice at No 2 and Rosslyn Court care home, between which the proposed bed and breakfast would be located. Nevertheless, the traditional style large family house at No 10 Rosslyn Road, the large house on the appeal site, the apartment blocks at Ballinger Court and The Beeches, and apartments over the dental practice together provide a substantial residential presence in the vicinity of the appeal property towards the north-western end of the street.
10. Furthermore, the new apartment building at No 16 Rosslyn Road and the emerging Goldfinch House apartment development help to give the street a rejuvenated residential feel. While apartment buildings are the prevailing type of building on the street, it is quite possible that some of the apartments provide accommodation for smaller family units. The variety of building profiles and materiality add to the eclecticism of the street's character. The two existing large houses, including the appeal property, contribute distinctiveness and family appeal to this character. Furthermore, the landscaped grounds of various residential properties add to the residential appeal of the street.
11. Rosslyn Road is more varied in character than the more traditional terraced and semi-detached dwellings on Westland Road and Stanley Road in Watford, which are cited as examples of family housing by the appellant¹. Nevertheless, the combination of elements identified above gives Rosslyn Road a rejuvenated

¹ In connection with Appeal Refs: 2108706 and 3232850.

and charismatic residential character with family appeal, which is worth safeguarding.

12. Taking the above together, H13 of the DP is engaged in this case, in seeking to ensure that development safeguards the established, prevailing residential character of Rosslyn Road, including maximising its appeal for family accommodation. This would include preserving large houses for residential accommodation which, Policy H13's supporting text indicates, are often harder to replace. Moreover, in the context of there being no HMOs or guesthouses on the street, the policy entails a 10% maximum limit for conversions within the RFSB.
13. Furthermore, Policy HS2 of Watford's Local Plan Part 1 - Core Strategy 2006-31 (2013) (CS) seeks to provide greater choice and promotes a mix of size, type and location of housing.
14. In terms of housing mix, five of the 16 properties in the RFSB are conversions of larger dwellings, which constitutes approximately 31%. The proposed change of use to a bed and breakfast would increase the conversions proportion to around 38% of the RFSB. This would exceed the 10% threshold in part a) of Policy H13 of the DP. The proposal would also result in the loss of a large dwelling.
15. The external appearance of the appeal building would not be altered. However, the proposed change of use from a single dwelling to an 11-bedroom bed and breakfast, open 24 hours a day, with potential for each room to have several occupants staying on a nightly basis, would significantly intensify the use of the building. This would introduce a significant number of strangers into the mainly residential street, and more comings and goings, potentially around the clock.
16. Together the above would erode the residential character and appeal of Rosslyn Road. It would also further undermine the provision of larger family houses in the area and reduce the diversity of local housing mix. This would not accord with parts a) and b) of Policy H13 of the DP and Policy HS2 of the CS.
17. In conclusion, the proposal would harm the housing mix and character of the area. As such it would conflict with Policy H13 of the DP and Policy HS2 of the CS.
18. Policy H11 of the DP refers to new developments for housing, not conversion and redevelopment away from residential use. As such, Policy H11 is not engaged in this case.

Other Matters

19. The appellant considers that the appeal property is no longer suitable for a family home. However, while the building adjoins a dental practice at No 2, that adjoining property also contains residential accommodation. Moreover, the large house at No 10 exists next to a care home. No substantive evidence of noise and disturbance problems in the vicinity of the appeal property is before me. Together the above indicates that future residential use, including for family accommodation, of the appeal building would not be prevented by the surrounding property uses.

20. The appellant expresses concern that with its large number of bedrooms, the appeal property is 'extremely niche' and unlikely to attract a buyer as a single, family dwelling. However, the presence of a large single dwelling at No 10 indicates a market for large single dwellings on this street, which is conveniently situated for the town centre and has a rejuvenated and charismatic residential character. There is not substantive evidence before me, in the form of a detailed marketing appraisal report for example, to persuade me otherwise.
21. I have had regard to concerns of interested parties about the proposal, including parking, overlooking of neighbouring properties and noise and disturbance, but as I have dismissed the appeal on the main issue it is not necessary for me to address these matters further.
22. The proposal would add to local bed and breakfast capacity in the area, with associated employment, and income for facilities and businesses in the area. This is within the context of a need identified in section 7 of the CS for four star and boutique hotels in the wider town centre area. However, given the scale of proposed development, the benefit in planning terms would be limited, and would not outweigh the harm identified.

Conclusion

23. The proposal would be contrary to the development plan and there are no other considerations which outweigh this finding. Accordingly, for the reasons given, the appeal is dismissed.

William Cooper

INSPECTOR