
Appeal Decision

Site visit made on 27 October 2020

by J P Longmuir BA (Hons) DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th November 2020

Appeal Ref: APP/Y1945/W/19/3238252

17 Harwoods Road, Watford, WD18 7RB

- 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 Sterling Rose Developments Ltd against the decision of Watford Borough Council.
 - The application Ref No. 19/00885/FUL, dated 25 July 2019, was refused by notice dated 30 September 2019.
 - The development proposed is the construction of new office building.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the living conditions of the occupants of 17, 19 Harwoods Road and 2 Holywell Road, in terms of any effects upon daylight, sunlight and/or outlook, adequacy of garden space provision and noise /disturbance.

Reasons

3. The proposed two storey office building would be situated within the back garden of 17 Harwoods Road which is part of a terrace. This property has been divided into two flats on separate ground and first floors. These dwellings, together with the neighbour at No 19 have windows on the rear elevation facing the appeal site. The appeal site is linked to Holywell Road, the neighbouring side street, by an alley which is alongside 2 Holywell Road.
4. The kitchen/dining room of the No 17 ground floor flat would be very close to the proposed 2 storey building. Even allowing for the slight set back between its ground and first floor the proposed building would overshadow and create enclosure to this kitchen/dining room, which is long and narrow with a single window so that these impacts would be significant. The upper floor flat of No 17 and dwelling at No 19 also have windows close to the proposed building which would obscure sunlight and daylight and lead to loss of outlook and sense of enclosure. I acknowledge the appellant's comments on the separation of the office from these dwellings and the vertical sky component of their rear windows, but that does not lead me to a different conclusion.
5. The proposed building would take up much of the garden so that minimal space would be left, particularly given the presence of steps. The remaining space

would be insufficient for the basic needs of the occupants, and furthermore would also be shadowed by the proposed building, undermining its value. Whilst there is a recreation ground in the neighbourhood, this would be too distanced to meet the immediate needs of the occupants. I acknowledge that it is difficult to provide garden space in this location but that does not justify the proposal.

6. I therefore conclude that the proposal would harm the living conditions of the flats at No 17 and the dwelling at No 19, causing loss of light, a sense of enclosure and lead to inadequate garden.
7. The proposed building would have its own pedestrian access from Holywell Road, which would be distinct from No 17 and No 19 thereby avoiding disturbance. Whilst the bin storage area would be close to the dwellings' garden this would only have momentary use. Users of the office would pass alongside No 2 Holywell Road; however, this dwelling has no windows on the facing (side) elevation which would limit the perception of any noise/disturbance. Furthermore, an office use would not be expected to generate significant noise/disturbance. The occupants of the surrounding houses also could generate potential noise at any time of day or night. Therefore, I conclude that the proposal would not cause significant noise/disturbance to the occupants of 17 and 19 Harwoods Road or 2 Holywell Road.
8. Policy SS1 of the Watford's Local Plan Part 1-Core Strategy seeks to protect living conditions, whilst the Council's Residential Design Guide provides more detailed guidelines. Notwithstanding my conclusion on noise/disturbance, the proposal would be in conflict with both this policy and guidance.

Other matters

9. The proposed office space would contribute to the economic prospects of the area, and I note the appellant's comments about the need for such space. However, the benefits of the office would be limited for the modest sized space and do not outweigh the harm that I have found above.
10. There is comment on the consistency of the Council's decision making but that does not lead me to a different decision.

Conclusion

11. I therefore conclude that the appeal should be dismissed.

John Longmuir

INSPECTOR