



Appeal Decision

Site visit made on 1 December 2020 by Alex O'Doherty LLB(Hons) MSc MRTPI

Decision by R C Kirby BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 January 2021

Appeal Ref: APP/Y1945/D/20/3257710

2 Gaddesden Crescent, Watford WD25 9QX

- 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 Alex Enescu against the decision of Watford Borough Council.
 - The application Ref 20/00595/FULH, dated 14 June 2020, was refused by notice dated 3 August 2020.
 - The development proposed is described as, "I would like to build new fence to front of property as the current one is very damaged. The new height will be up to 1500mm".
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matter

3. The Council's decision notice did not refer to any policies. However, it is clear from the parties' representations that Policies SS1, SD1, and UD1 of the Watford Local Plan Part 1 – Core Strategy 2006–31 (adopted 2013) ('Local Plan') are relevant. Therefore, the appeal has been considered on the basis of those policies.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the surrounding area.

Reasons for the Recommendation

5. The appeal site is located towards the end of Gaddesden Crescent and houses a two-storey semi-detached dwelling. A small green separates one side of the Crescent from the other. I observed that along much of the street, frontages to properties consisted of open drives, low walls, and fairly insubstantial soft landscaping treatments. As such, whilst there is a diversity of boundary treatments along this street, with no overall uniformity, what is present is very unobtrusive. I have had regard to the photographs provided by the appellant¹, but that evidence does not change my findings.

¹ Appendix B of the appellant's Appeal Statement

6. Whilst the proposed height of the new front wall and gate, at a maximum of 1.5 metres, would not be excessive, the proposal would incorporate a large mass of breeze blocks, and a wide wooden gate, which would create a very bulky and overly-strident feature in this location. Accordingly, it would unduly contrast with the understand tenor of the other front boundary treatments along this street.
7. It is recognised that the immediately adjacent property on the corner benefits from a high brick wall, with a solid gate and timber fence toppers, and that the height of the proposal would be broadly in keeping with it. However, the brickwork on that wall blends well with its host property and several of the nearby houses, and I do not consider that the breeze blocks proposed, whilst rendered, would similarly assimilate adequately in the street scene. Further, those tall structures at the adjacent property are very much the exception, rather than the rule, along Gaddesden Crescent. As such, they do not change my view regarding the harmful effect of the proposal on the character and appearance of the area.
8. I therefore conclude that the proposal would have an unacceptable and harmful effect on the character and appearance of the surrounding area. The proposal would conflict with Policies SS1, SD1, and UD1 of the Local Plan, which collectively provide that new development should respect and enhance the local character of the area in which it is located. The proposal would also conflict with the advice given in the Residential Design Guide (adopted July 2014 and amended August 2016) which sets out that development should respect the streetscene, and with paragraph 127 of the National Planning Policy Framework ('the Framework') which provides that planning decisions should ensure that developments are sympathetic to local character.

Other Matters

9. It is noted that the proposal would improve the appellant's living conditions with respect to improving the safety and security of the property and its curtilage. Policy UD1 of the Local Plan and paragraph 127 of the Framework provide support for such matters. However, there is no evidence before me to suggest that a less harmful scheme could not achieve the same aims, and as they would mainly be private benefits, this matter has been given limited weight.
10. It is recognised that the withholding of planning permission would interfere with the appellant's right afforded under Article 8 of the European Convention on Human Rights, as incorporated by the Human Rights Act 1998, with respect to the right to respect for his private and family life, and his home. However, in this case, the proposal would cause material harm to the character and appearance of the area, and as such the interference through the determination of this appeal under the Town and Country Planning Act 1990 is justified in the wider public interest.
11. Overall, I find that the matters advanced in support of the proposal, do not, either individually or collectively, outweigh the harm identified, nor the conflict with the development plan. As the proposal conflicts with an up-to-date development plan, it does not constitute sustainable development.

Conclusion and Recommendation

12. Based on the above, and having regard to all matters raised, I recommend that the appeal should be dismissed.

Alex O'Doherty

APPEAL PLANNING OFFICER

Inspector' Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

RC Kirby

INSPECTOR