



Appeal Decision

Site visit made on 8 March 2021

by S. Rennie BSc (Hons), BA (Hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 April 2021

Appeal Ref: APP/Y1945/W/20/3259934
422B St Albans Road, Watford WD24 6PJ

- 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 N Plumbly against the decision of Watford Borough Council.
 - The application Ref 20/00422/FUL, dated 22 April 2020, was refused by notice dated 15 June 2020.
 - The development proposed is for the erection of a first floor front extension to facilitate a Change of Use from Class B1(a) (offices) and Class B8 (storage) to Class C3 (dwellinghouses) - 2 x 1 bed flats.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the living conditions of future occupiers and neighbouring occupiers.

Reasons

3. The site includes an old commercial storage building now proposed to be converted into two flats. Whilst there are other dwellings in this area, this is a constrained site adjacent to a narrow access drive which leads through to a car mechanic business from St Alban Road.
4. At the ground floor there would be a bedroom window which would face onto this lane. There would be no space between the window and the access lane, which would include vehicles and pedestrians, some of which may be going through to the car mechanic business for example. Whilst this would mainly be in daytime hours and traffic levels likely to be low, this would seriously impinge on the privacy of future occupiers. It may be that there are other examples of windows abutting public walkways or highways, but in this case the privacy which would be curtailed by this window position would be significantly detrimental to future occupiers, especially as it seems that the owners would have little control of this area outside of the bedroom window.
5. Furthermore, the view from this window would provide a poor level of outlook. It would be primarily of an access lane and the parking spaces and wall opposite. Whilst the outlook would not be affected by an overbearing building, the living conditions of future occupiers would be adversely affected by such a poor quality of general outlook from this window.

6. I acknowledge that this is a bedroom window, but I do not regard this as meaning it would be a room for sleeping only. Being a small flat it is quite possible that future occupants may spend some time in the room throughout the day and so would be affected by the lack of privacy and outlook quality.
7. With regards the ground floor lounge/dining/kitchen room, this would be a relatively large space of a rectangular shape, with a single window. This window would be a significant distance from the kitchen area of this room, as shown on the submitted plans. As such, it is likely that this room would be gloomy and lack natural light. Furthermore, this window would also have a poor level of outlook, with views primarily to the front of No 422C and the parking area for this property and the car mechanic business.
8. Overall, whilst I note this is a high density area of Watford, the ground floor flat would lack sufficient levels of privacy and outlook quality, harming the living conditions and amenity of future occupiers. I do not regard the fact that it is likely that future occupants would be aware of the outlook and internal light levels before deciding to move in as suitable mitigation for the poor level of living conditions available. The proposal therefore conflicts with policy SS1 of the Watford Local Plan Core Strategy 2006-31, which requires that development be focussed on areas without there being serious harm to character or amenity.
9. With regards the impact to those living at 422C St Albans Road, the proposed first floor extension and window, serving a lounge/dining room area, would be close to the first floor front elevation window in this neighbouring house. However, these windows would be at an oblique angle to each other. This should mean that overlooking leading to a significant loss of privacy is avoided. Furthermore, whilst the proposed extension would be visible from the windows in the front of 422C the minor scale of the first floor extension and the angled view from these windows would mean that it would not be harmfully overbearing. Therefore, in terms of the impact to the living conditions of those at No 422C St Albans Road there would be no harm. This would also be the case for all other neighbouring dwellings in the area, from what I can assess from my site visit and the submitted information. As such, there would be no harm to neighbour living conditions and the proposal would not conflict with policy SS1 in this regard.
10. Furthermore, for the same reasons as set out in the previous paragraph, the proximity of the front of No 422C would not result in significant adverse living condition impacts to the future occupants of the proposed development through loss of privacy, due to the oblique angle of the existing and proposed windows for example.

Other Matters

11. The Council reason for refusal mentions the substandard parking spaces being proposed. This is acknowledged by the appellant, in relation to a lack of space directly adjacent to the spaces for manoeuvring. However, I note that both parties state that as this is an accessible site then it may be possible for this to be a car-free development. I have not considered this aspect of the development further on this basis.

Planning Balance

12. The proposed development would be an efficient use of land and the re-use of what appears to be a vacant building in an accessible area of Watford. Furthermore, the proposal would provide two additional dwellings towards local housing supply. However, the harm to the living conditions of future occupiers is such that the development would significantly and demonstrably outweigh the benefits.

Conclusion

13. For the reasons set out relating to the poor living condition quality for future occupiers of the proposed development, and in considering all matters raised, the appeal should be dismissed.

Steven Rennie

INSPECTOR