



Appeal Decision

Site Visit made on 8 March 2021

by Steven Rennie BA (Hons), BSc (Hons), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 April 2021

Appeal Ref: APP/Y1945/W/20/3259576

133 Vicarage Road, WATFORD, WD18 0HA

- 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 Shabaz Khaliq against the decision of Watford Borough Council.
 - The application Ref 20/00684/FUL, dated 5 July 2020, was refused by notice dated 27 August 2020.
 - The development proposed is the conversion of existing 2 flats back into a single dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for the conversion of existing two flats back into a single dwelling at 133 Vicarage Road, WATFORD, WD18 0HA, in accordance with the terms of the application Ref 20/00684/FUL dated 5 July 2020, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan 1:1250; Elevations; Existing layout plans; Proposed dwellinghouse plans.

Main Issue

2. The main issue is whether the proposed single dwellinghouse would have sufficient external amenity space for future occupants.

Reasons

3. The proposal is to convert the building back to a single dwelling. It was clearly a single house initially and it is apparent that it was converted to flats in the early 1990s approximately. As such, it has been used as flats for a long time although the original character of the building as a house does not appear to have changed much over time.
4. The site is on a corner plot at the end of a terrace, with a lane also to the rear. The property only has a small rear yard, with no private space to the front either. As a three bedroom dwelling the private amenity space would be less than what would usually be expected to serve a property of this size, which is reflected in the Council's Residential Design Guide standards.
5. Whilst the lack of private amenity space is noted, the alternative is that this space would serve two flats from the same residential building, with it likely

that the first floor flat would have no amenity space. To my mind, there is no significant difference in whether this small area of amenity space serves the previous flats or the proposed house, even if a single house was more likely to be occupied by a family.

6. I note that the rear yard area is currently open and could be used for parking. There are also the shipping crates in place in this area. However, this could change if future occupiers desired more open amenity space. Indeed, I note that if previously approved extensions and outbuildings are implemented, this would see a garden area increase to approximately 27sqm, according to the Council. This is still a small garden area, though I note there are other small garden areas in the vicinity of the site serving other properties.
7. Furthermore, whilst small it would provide some level of privacy and also space for outdoor uses such as hanging out washed clothes, for example. I am also aware that this is an area where there are larger public outdoor spaces which could be used by future occupants, which would compensate to an extent for the lack of private amenity space.
8. Therefore, whilst the proposal to return this property to a single dwelling use would not meet the Council's Residential Design Guide's standards for outdoor amenity space, I would consider that in these particular circumstances, the lack of suitably sized private outdoor areas for future occupants is not a reason to dismiss the appeal. The proposal may not fully accord with Policy UD1 of the Watford Local Plan, but the limitations on the living conditions of future occupants is modest and there are material considerations as explained above why this appeal should be allowed in these circumstances.

Conditions

9. I have considered the conditions put forward by the Council against the requirements of the Planning Practice Guidance (PPG) and the Framework.
10. I have attached the standard time limit condition and a plans condition as this provides certainty.

Conclusion

11. For the reasons given I conclude that the appeal should succeed, subject to conditions.

Steven Rennie

INSPECTOR