

Appeal Decision

Site visit made on 19 July 2021

by Les Greenwood MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 August 2021

Appeal Ref: APP/Y1945/D/21/3271051

26 Capel Road, Watford WD19 4AE

- 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 Ms Carly Cook against the decision of Watford Borough Council.
 - The application Ref 20/01231/FULH, dated 28 October 2020, was refused by notice dated 23 December 2020.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension in accordance with the terms of the application Ref 20/01231/FULH, dated 28 October 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1011/SPB/CC/1, 1011/SPB/CC/3, 1011/SPB/CC/4, 1011/SPB/CC/5B and 1011/SPB/CC/6A.
 - 3) The materials to be used in the construction of the external surfaces of the walls of the extension hereby permitted shall match those used in the existing building.

Procedural matter

2. A new version of the National Planning Policy Framework (the Framework) was published on 20 July 2021. Having considered the role and content of the Framework in relation to this case, I see no need to re-consult the main parties about this change in national policy.

Main issues

3. The main issues are:
 - i) whether the proposal would preserve or enhance the character or appearance of the house and the Oxhey Conservation Area; and
 - ii) the effect of the proposal on living conditions at the neighbouring properties 24 and 28 Capel Road in terms of the effects on outlook and natural light.
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Reasons

Conservation area

4. The Council's Oxhey Conservation Area Character Appraisal (CA) advises that the conservation area is focussed on a mid-19th Century part of the town which is distinct from other Victorian areas due to its varied architectural character of terraced housing interspersed with detached and semi-detached villas and a variety of public houses and shops. The CA continues to say that the strong, small scale streetscapes and roofscapes are an important feature, emphasised by the topography. This provides an apt description of Capel Road, which is lined with a mix of small scale terraced houses, other houses and commercial uses, all built using a variety of materials. The buildings here are generally not of outstanding architectural merit individually, but combine to form an attractive and interesting streetscape.
5. No 26 is an end of terrace 2 storey house which, like others in the street, has a modest 2 storey rear wing or outrigger. The proposal is to infill the space next to this wing with a single storey flat roofed extension that would wrap around the end of the wing and fill the whole width of the narrow plot.
6. Section 8.5 of the Council's Residential Design Guide Supplementary Planning Document (RDG) advises that rear extensions should be subordinate to the original house with plan depths for terraced houses not exceeding 3m as a general rule. The proposed extension would be much deeper than this, reaching about 5.7m from the main back wall of the house.
7. Despite its depth, the proposed extension would be a low, subsidiary feature. It would not challenge or otherwise take away from the original form of the house, which could still be read clearly. The straightforward form and detailing of the extension would complement the relatively simple architectural character of the house and neighbouring houses. The extension would not be readily visible from the public realm so that its visual impact in the streetscape would be negligible. Due to the depth and slope of the rear garden, the extension would furthermore be seen from only a few other properties so that its overall visual impact would also be very limited.
8. Other houses in the immediate vicinity have been extended in various ways including a wrap around rear conservatory extension at No 28 next door. Although these other extensions may have taken place prior to the adoption of current policies, they do form a part of the character of the area and are a normal part of the evolution of small Victorian houses like these.
9. I conclude that, despite some conflict with the guidance in the RDG, the proposal would preserve the character and the appearance of the house and the conservation area. It therefore accords with the aims of policies SS1, UD1 and UD2 of Watford's Local Plan Part 1 - Core Strategy 2006-31 (CS) and the RDG, to secure high quality development that respects and enhances local character and safeguards the historic environment. These aims align with the increased emphasis on achieving well-designed places in the new version of the Framework.

Neighbours' living conditions

10. The next house in the terrace, 24 Capel Road, has a ground floor habitable room window at the back, near to the position of the proposed extension. The proposal would extend well back along the common boundary, replacing an approximately 1.8m high fence with an approximately 2.5m high wall. The RDG states that single-storey rear extensions that involve the infilling of spaces between existing rear projections will generally be deemed unacceptable if this causes a significant tunnelling effect or increased sense of enclosure to the adjoining property.
11. Although there would be some impact on the outlook from and natural light to this ground floor window at No 24, these effects would be limited by the reasonably low height of the proposal in comparison to the existing window head and the relatively shallow depth of the 2 story rear wings at both of these properties. As a result, the proposal would not be unduly overbearing or dominating to the outlook from the back of No 24 and would cause little loss of natural light. No 24 benefits from a long, sunny rear garden so that this proposal would not significantly affect the amenity provided by that space.
12. There would be even less impact on No 28 because there is a significant gap between the 2 buildings. The conservatory at that property would continue to have a wide outlook and the property would retain good natural lighting. The occupier of No 28 has raised a concern about the impact on the existing boundary planting, but such planting could potentially be replaced if damaged. No other neighbours would be significantly affected.
13. Once again, despite some conflict with the guidance of the RDG, I conclude that the proposal would not significantly or unacceptably harm living conditions at neighbouring properties including 24 and 28 Capel Road. The proposal therefore accords in this respect with the aims of CS policy UD1, the RDG and the Framework, to secure well-designed development with regard to the amenity of neighbouring residents.

Conditions

14. I impose a condition specifying the relevant plans to provide certainty. The use of matching materials is required for the walls of this extension in the interest of preserving local character. The flat roof does not require matching materials so is not covered by the condition.

Conclusion

15. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should succeed.

Les Greenwood

INSPECTOR