



Appeal Decision

Site visit made on 23 November 2021

By Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date 9th December 2021

Appeal Ref: APP/Y1945/D/21/3279953
52 Sotheron Road, Watford, WD17 2QA

- 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 and Mrs Styles and Webber against the decision of Watford Borough Council.
 - The application Ref 21/00426/FULH, dated 22 March 2021, was refused by notice dated 7 May 2021.
 - The development proposed is a single storey, part two storey rear extension, conversion of loft space with rear dormer and Velux window.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are the effects of the proposed development on:
 - the character and appearance of the host property, local area and the Estcourt Conservation Area (the CA); and
 - the living conditions of neighbouring residential occupiers at 54 Sotheron Road (No.54).

Reasons

Character and appearance and Heritage Asset

3. Sotheron Road is characterised by its rows of two storey brick built Victorian palisaded terraced artisan houses, of which the appeal property forms part, and is located at the heart of the CA contributing to its significance. The CA is a heritage asset to which I have a statutory duty under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. I must pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
4. The appeal property is a two bedroom palisaded house with a rear garden, which sits in the middle of a terrace of similar properties, most of which appear to have undergone a variety of alterations and extensions, many of these appear to predate the designation of the CA in 2001.
5. The proposal is to replace the existing single storey bathroom outshoot at the rear of the appeal property, which is approximately half the width of the

existing dwelling. The proposed replacement would be the full width of the existing dwelling at ground level and would align with the rear wall of the outshoot extension at the rear of the neighbouring 50 Sotheron Road (No.50), at approximately 5.683 metres from the rear wall of the original house, and would have an asymmetric pitched roof form.

6. Due to its depth the proposed ground floor extension would not comply with the design guidance given in the Watford Residential Design Guide 2014 (as amended 2016) (the SPD) that states that extensions to terraced houses should not project more than 3 metres from the rear wall of the original house. Whilst it is noted that the proposal would match the projection of the outshoot extension at the rear of No.50, when this depth is combined with the proposed width that would match that of the existing house, this would appear as being significantly out of proportion to the scale of the existing house. The proposed asymmetrical shallow pitched roof form would also not reflect the roof forms of the existing house, or those to be found within the CA and would appear as visually discordant.
7. Further, the door to the proposed extension that would sit on the boundary with the neighbouring property at No.54. Whilst this proposed access door would align with an existing right of access to the rear garden of the appeal dwelling that it shares with neighbours, this right of way is to and through garden spaces and is facilitated by garden gates in fences between properties. This right of access is reciprocal and is reflected in the current arrangement. The proposed access door would not however reflect this arrangement and would appear as a door from a house onto a neighbour's garden and would, therefore, appear as incompatible within this context.
8. For these reasons the proposed ground floor extension would appear as a dominating and incongruous addition.
9. At first floor level a small rear extension to provide an en-suite bathroom is proposed, which would be approximately the same width as the existing rear extension and significantly shorter at approximately 2.3 metres in depth. At roof level, the proposal would create additional living space in the loft and would incorporate a traditionally formed dormer window in the rear roof slope and a Velux window in the front of slope.
10. Although no site visit was carried out by the Council prior to their decision in this instance, they have stated that there does not appear to be any rear dormer windows found in properties on the same side of the street as the appeal property and that dormer windows are not in keeping with the character or appearance of the CA. However, from my site visit it was apparent that rear dormer windows are present on a number of residential properties in the CA, including on the same side of the street as the appeal property.
11. Similarly, the council have stated that the hipped roof form of the first floor extension does not reflect the design of other first floor outriggers to be found in the CA and is harmful to its character and appearance, whilst acknowledging that other hipped roof outriggers similar to that proposed are to be found in the CA. However, owing to the land rising up towards the railway lines at Watford Junction, there are extensive views of the roofscape of the area, and it is apparent that both traditionally formed rear dormer windows and first floor outriggers with hipped roofs form part of this roofscape and I find that they

form part of the established character and appearance of the CA, contributing to its significance.

12. The design advice given in the SPD is advice that should be considered along with the individual circumstances. In this case the appeal dwelling is small and its roof is in proportion to this small scale and, whilst the pitched roof of the proposed dormer would be higher on the rear roof slope than set out for all dormers in Paragraph 8.12.3 of the SPD, the small size of the dormer and its pitched roof form would be in proportion to the existing roof and sympathetic to the character and appearance of the appeal dwelling, the local area and the CA.
13. However, whilst I have found that the proposed extensions have some design elements that are in keeping with the character and appearance of the appeal property, the local area and the CA, when the proposed rear extensions are considered as a whole, their collective scale would be excessive in relation to that of the appeal dwelling. This would result in additions to the existing house that would dominate its appearance and it would not appear as a subservient addition to the appeal dwelling. When this is considered along with the incongruous appearance of the ground floor extension's roof form and access door on the boundary with No.54, the proposal would be harmful to the character and appearance of the appeal dwelling and that of the local area, resulting harm to the significance of the CA.
14. For these reasons, I find that the proposed development would be contrary to Policies SS1 and UD1 of the Watford Local Plan Part 1 Core Strategy 2006-31 (2013) (the CS), Paragraphs 8.5.1 a) and b) of the SPD and Sections 12 and 16 of the National Planning Policy Framework (2021) (the Framework), which collectively seek to ensure that development is of high quality design, a key aspect of sustainable development, and are sympathetic to local character, having due regard to the importance of preserving or enhancing heritage assets.
15. Although I find the harm to the CA would be considered less than substantial, in accordance with the Framework, great weight should be given to the conservation of those assets. I address the balance against public benefits in my conclusions below.

Living Conditions

16. The proposed ground floor extension would be constructed to the boundary of the appeal property with its adjoining neighbour at No.54. It is noted that the appellant included the asymmetrical pitched roof to shift the pitch of the roof away from this boundary, in an attempt to reduce the tunnelling and overbearing effect of the proposal. However, I find that, within the context of the small scale of these properties and the narrowness of the side space between outrigger extensions and the boundary, the scale and height of the proposal would have a considerable tunnelling and overbearing effect that would be experienced by the occupiers of No.54 as oppressive. This would only be further exacerbated by the proposed door on the boundary.
17. Whilst I am satisfied that, due to its size and location, the proposed first floor extension would not result in any overbearing effect or loss of light, I find that for the reasons given above, the ground floor element of the proposal would result in significant harm to the living conditions of the occupiers of No.54. This

would be contrary to Paragraphs 8.5.1 c) of the SPD and Paragraph 130 f) of the Framework.

Planning Balance and Conclusion

18. Whilst the proposal would result in a larger property with improved amenity for its occupiers, these are primarily private benefits. I must give considerable importance and weight to the effect on the significance of the CA and in addition significant weight to the effect I have identified on the local area and living conditions of the residential occupiers of No.54. Overall, I consider that these benefits do not outweigh the harm I have identified.
19. For the reasons given above and having regard to all other matters raised, I consider that the appeal should be dismissed.

Victor Callister

INSPECTOR