



Appeal Decision

Site visit made on 20 June 2022

by P J Staddon BSc, Dip, MBA (Distinction), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14TH July 2022

Appeal Ref: APP/Y1945/W/21/3286622

260 Horseshoe Lane, WATFORD WD25 7JQ

- 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 Gary Powell against the decision of Watford Borough Council.
 - The application Ref 21/00444/FUL, dated 22 March 2021, was refused by notice dated 19 May 2021.
 - The development proposed is 'removal of existing outbuilding, gazebo and shed and construction of new two bedroom dwelling'.
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Decision

1. The appeal is dismissed.

Main issues

2. The main issues are:

- The effect of the proposal on the character and appearance of the area.
- Whether the proposed private amenity space to serve the dwelling's future occupants is adequate.

Reasons

Character and appearance

3. The appeal property is a traditional style detached house situated on a corner plot at the junction of Horseshoe Lane and Woodside Road. The house is sited back from Horseshoe Lane and on the eastern side of the plot, such that it has garden areas to its front, side and rear. Within the rear garden there is a long single storey outbuilding, notated on the plans as a garage at the front and a playroom at the rear, which runs alongside the northern boundary. In front of the garage part there is a hard surfaced area, used for car parking and which is accessed by gates opening on to a crossover to Woodside Road, close to a zebra crossing.
4. The appeal proposal would introduce a 2-bedroom bungalow into the northern part of the existing garden. It would be sited such that its front wall would follow the line of the dwellings to the north on Woodside Road and its rear wall would be next to the eastern boundary, beyond which is the rear garden of No. 258 Horseshoe Lane. An inset to the bungalow footprint would create a yard in the north-east corner of its proposed plot. At the front, the drive and

part of the side garden would be laid out to create 2 parking spaces, 1 allocated for the existing property and the other for the proposed new dwelling.

5. Whilst the bungalow would be of a pleasant design, with local features such as hipped and pitched clay tiled roofs, it would not fit comfortably on this very limited sized plot, which would be significantly smaller than those occupied by dwellings in the vicinity. The restricted size of the plot, combined with the size of the dwelling proposed, would mean that it would appear cramped and squeezed on to the site. This would be uncharacteristic of the surrounding area, which is defined by suburban residential properties that are typically set within much larger garden plots, with notable gaps between the houses, giving the area a mature, spacious and leafy character and appearance.
6. On this main issue, I conclude that the appeal proposal would be harmful to the character and appearance of the area. This would conflict with policies SS1 and UD1 of the Watford Local Plan Core Strategy 2006-31 (adopted 2013) (the CS) and Chapter 12 of the National Planning Policy Framework (the Framework) which, amongst other matters, require high standards of design which respect local character and context. It also conflicts with Watford's Residential Design Guide (adopted 2014 and amended in 2016) (the RDG), which similarly requires the building of new homes to respond to local context.

Amenity space

7. The only private amenity space to serve the bungalow would be a small yard in the north-east corner of the plot. Whilst this would provide some facility for sitting out and, perhaps, drying clothes, it would be very limited and heavily enclosed on all sides.
8. The RDG states that a 2-bedroom dwelling should have a minimum garden area of 50 square metres. The Council assesses that the amount of space provided would be 15 square metres¹. I have noted the appellant's submissions concerning potential occupancy by people that may not wish to have a large garden and the proximity of nearby open spaces, including Leavesden Country Park.
9. I assess that the shortfall of private amenity space against the adopted guidance would be significant and I consider that the limited space, which would be heavily enclosed, would fail to achieve the required high standard of amenity for future occupiers. This would conflict with the requirements of the RDG, paragraph 130 of the Framework, and policies SS1 and UD1 of the CS, which, collectively, require high quality design which achieves a high standard of amenity for future users.

Other matters

10. I have noted the appellant's submissions concerning 'permitted development' allowances at the property, the use of brownfield land, and the benefits that would arise from delivering a new home in this location. However, permitted development provisions would not allow for the development of a new dwelling and residential garden land in built-up areas is excluded from the Framework's Annex 2 definition of previously developed land. Whilst I recognise that some economic and social benefits would arise from the appeal proposal, these would not outweigh the harm I have identified. I have also noted the submissions

¹ Watford Borough Council officer report paragraph 6.3

regarding the absence of harm to the amenities of the occupants of neighbouring properties, but this is a matter of neutral weight.

11. I visited some nearby locations, including Austinwood Avenue and Meadowside, where infill developments have taken place behind the main run of houses on the east side of Woodside Road. However, I did not consider these developments to be directly comparable to the appeal proposal, as they appeared to involve a number of dwellings in each case, set within larger plots, with each having a larger private garden area.
12. I have considered the disputed views on the practicality of the parking and refuse storage/collection arrangements and I have noted the absence of any specific highway safety objection from the Council. Given my findings on the 2 main issues, I do not consider it necessary to explore these matters in greater depth.

Conclusion

13. For the above reasons, the appeal is dismissed.

P. Staddon

INSPECTOR