



Appeal Decision

Site visit made on 25 June 2022

By A. J. Boughton MA (IPSD) Dip.Arch. Dip.(Conservation) RIBA MRTPI
an Inspector appointed by the Secretary of State

Decision date: 27TH July 2022

Appeal Ref: APP/Y1945/D/22/3294228

3 Capel Road, Watford WD19 4FE

- 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 Miss I Gavin against the decision of Watford Borough Council.
 - The application Ref: 21/0150/FULH dated 14 October 2021, was refused by notice dated 10 December 2021.
 - The development proposed is loft conversion and rear dormer with 2 front velux rooflights.
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Decision

1. The appeal is dismissed.

Main Issue:

2. The main issue is the effect of the proposed development on the character and appearance of the Oxhey Conservation Area (OCA) which is a designated heritage asset.

Reason

Character and appearance

3. Section 72 of the Town and Country (Listed Buildings and Conservation Areas) Act 1990 (LBCAA) imposes a duty upon decision takers to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas. This is a matter to which great weight should be given.
4. 3 Capel Road is a two-storey terraced house in a part of the Oxhey Conservation Area which has a tight urban grain with small rear gardens or courtyards laid out over a sloping topography. The complex relationships between neighbouring dwellings evolved as the area developed during the middle decades of the nineteenth century. 1-7 Capel Road together with the adjoining terrace block on Caroline Place and the opposing, also proximate, dwellings fronting the Pinner Road are an example of this complexity with the respective frontages enclosing alleys, gardens and courtyards at close quarters and different levels. The rear garden of No.3 Capel Road, for instance, is several steps above its entrance, or ground floor, level. Although the appellant refers to the lack of impact in the street scene from the proposal, that is to limit the effect of the proposed loft conversion upon the character and appearance of the OCA as the dwellings surrounding the appeal site largely retain original form, devoid of rear roof extensions.

5. It is into this relatively constrained setting, where the tension between privacy and proximity is finely balanced, that the proposal would introduce an additional habitable storey with a flat-roofed extension and windows capable of overlooking neighbouring properties. The proposed loft conversion would therefore not only introduce a roof form which is visually alien but undermine what is, to my mind, the significance of the dwelling group which includes the appeal site, as successful examples and survivors of dense Victorian housing. This harm, although less-than-substantial, must nevertheless attract great weight.
6. The appellant has pointed to other decisions by the Council; however these do not change the reasoning of my decision. I have also had regard to the additional accommodation which would be provided but this would be a modest benefit which is substantially outweighed by the harm I have identified to the significance of the OCA.
7. I therefore conclude that the proposal would fail to preserve the character and appearance of the OCA and thereby fail to accord with Policies UD1 and UD2 of the Watford Borough Council Local Plan (Core Strategy) 2006-31 which seek to conserve and enhance heritage assets such as the OCA and that new development should deliver high quality design that recognises local character and historic value.
8. Consequently, taking all matters into account and for the reasons given, the appeal does not succeed.

Andrew Boughton

INSPECTOR