



Appeal Decision

Site visit made on 31 October 2022

by A Berry MTCP (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 November 2022

Appeal Ref: APP/Y1945/W/21/3287402

338 St Albans Road, Watford WD24 6PQ

- 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 Better Properties Ltd against the decision of Watford Borough Council.
 - The application Ref 21/00957/FUL, dated 23 June 2021, was refused by notice dated 14 September 2021.
 - The development proposed is outbuilding to be storage for shop No 338 and 338A, 340 and 340A, 342 and 342A and 344 and 344A.
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Decision

1. The appeal is allowed and planning permission is granted for an outbuilding to be storage for shop No 338 and 338A, 340 and 340A, 342 and 342A and 344 and 344A at 338 St. Albans Road, Watford WD24 6PQ in accordance with the terms of the application, Ref 21/00957/FUL, dated 23 June 2021, 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 approved drawings: 18/3178/50, 18/3178/55, 18/3178/56, 18/3178/57 and 18/3178/58.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Matters

2. It has been brought to my attention that A Sustainable Town: Watford Local Plan 2021-2038 (LP) was adopted on 17 October 2022. The LP replaces Watford's Local Plan, Part 1 Core Strategy 2006-31 (CS). Therefore, Policies SS1 and UD1 of the CS have been replaced by Policies SS1.1, QD6.2 and QD6.4 of the LP. It is mandatory for me to take account of the most relevant and up-to-date information in reaching a decision and I have therefore dealt with the appeal on this basis. The main parties have been given an opportunity to comment on the relevant policies contained in the LP and have therefore not been prejudiced.

Main Issues

3. The main issues are the effect of the proposed development on (a) the character and appearance of the surrounding area; and (b) the living conditions

of the occupiers of neighbouring properties, with particular reference to outlook and the size and accessibility of the resulting amenity space.

Reasons

Character and Appearance

4. The appeal site accommodates a two-storey, flat roofed building. The building is used as commercial premises to the ground floor and dwellings to the first floor and is located within a parade of commercial premises that occupy this side of St Albans Road. The buildings on this side of St Albans Road are varied in their character and appearance. Pitched roofs are predominant within the street scene however, the steepness of the pitches varies. In addition, some have gables fronting the road, whilst others have living accommodation within the roofspace. To the rear of the appeal site is Sandringham Road, which is predominantly residential, but is mixed in character and appearance, although roofs are mostly pitched.
5. The land to the rear of the building is used by the commercial units for storage purposes and as gardens for the first floor dwellings, with no separation between the uses. Some of the commercial units have erected make-shift single storey extensions to the rear that are constructed of various materials, with some in a state of disrepair. These structures detract from the appearance of the surrounding area. Detached outbuildings/sheds/storage containers of various designs and materials are also sited on the land, resulting in a cluttered appearance. These extensions and outbuildings erode the existing character of the area.
6. It is proposed to demolish the existing extensions and detached outbuildings/sheds/storage containers and replace them with a staggered run of single storey outbuildings that would be utilised by each of the ground floor commercial premises. The run of outbuildings would be separated from the rear of the host building by a corridor that would provide access to the outbuildings as well as the storage of refuse and recycling bins. The building would have a flat roof, that would reflect the roof design of the existing building and would be constructed of matching materials that would enhance the character and appearance of the area. I recognise that the surrounding area predominantly comprises buildings with pitched roofs and the proposal would have a flat roof that would be extensive in area. However, its design would reflect the design of the existing building.
7. To the rear of the appeal site is a children's day nursery that occupies a single storey detached building that is flanked on either side by two-storey dwellings. Glimpses of the host building can be viewed in the gaps between these buildings when travelling along Sandringham Road however, this is predominantly of the first floor. Due to the proposal's single storey height and use of brick with a flat roof to match the host building, it would not appear highly conspicuous from Sandringham Road to the rear, nor would it detract from the character and appearance of the surrounding area.
8. In reference to the first main issue, the proposed development would not unduly harm the character and appearance of the surrounding area. As such, it would comply with Policies SS1.1, QD6.2 and QD6.4 of the LP, which together, seek to ensure that developments are of a high quality design, make a positive

contribution to the character of the area, and take design cues from existing buildings.

Living Conditions

9. The dwellings to the first floor of the host building have use of the land to the rear as gardens, although the gardens are not separated from the commercial uses, who also use the land. At the time of my site visit, the majority of the land to the rear was overgrown and was not well maintained, with dividing fences having fallen down. However, I did note that one garden appeared well kept. All but one of the gardens are accessed via a narrow, gated alleyway located to either side of the host building however, one dwelling has a spiral staircase providing direct access.
10. The dwellings each have two bedrooms and therefore could be occupied by a family. The proposed gardens would be smaller than the current shared space to the rear of the host building. However, the proposed gardens would physically separate from the commercial uses, and they would still be of a size and shape that would be adequate for children to play, the drying of clothes and for the siting of a table and chairs. The gardens would be accessed via the existing gated accesses to either side of the building from St Albans Road, which is the current arrangement for 3 out of the 4 dwellings and is therefore generally comparable. Whilst I acknowledge that direct access into the garden from one of the dwellings would be prevented by the proposal, this would be an inconvenience to the occupiers rather than result in a significant adverse effect on their living conditions, as an accessible private garden of an appropriate size and shape would be retained for use by the occupiers.
11. To the rear elevation of the host building, the first floor dwellings have windows and one set of glazed patio doors that serve habitable rooms. The outlook from these openings would be over the top of the proposed flat roof, towards the dwellings' gardens and the rear gardens of the dwellings fronting Sandringham Road. An open outlook across green garden areas would therefore be largely maintained and the proposed outbuilding would not appear overbearing nor unduly oppressive when viewed from these openings.
12. In reference to the second main issue, the proposed development would not unduly harm the living conditions of the occupiers of neighbouring properties in respect of outlook and the size and accessibility of the resulting amenity space. As such, it would comply with Policies SS1.1, QD6.2 and QD6.4 of the LP, which together, seek to ensure that developments are designed to provide internal and external spaces that support the health and wellbeing of all those who use and experience them.

Conditions

13. The Council has provided a list of conditions which I have had regard to. In addition to the standard condition, which relates to the commencement of the development, I have specified the approved plans for the avoidance of doubt and in the interests of proper planning. A condition requiring the proposed development to be constructed of materials to match those of the existing building is necessary to ensure that the building's design complements the character and appearance of the existing building and surrounding area.

Conclusion

14. For the reasons given above, and having regard to the development plan as a whole and all other matters raised, I conclude that the appeal should be allowed.

A Berry

INSPECTOR