



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: 7 December 2022

Appeal Ref: APP/Y1945/W/22/3300695

Flat 1, 25 Park Road, Watford WD17 4QW

- 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 Andrew Powell against the decision of Watford Borough Council.
 - The application Ref 22/00044/FULH, dated 9 January 2022, was refused by notice dated 9 March 2022.
 - The development proposed is described as "parking on the front of 25 Park Road".
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Mr Andrew Powell against Watford Borough Council. This application is the subject of a separate decision.

Procedural Matters

3. 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Strategy 2006-31 and the Council have advised that Policies SS1.1, ST11.5, QD6.2, QD6.4, HE7.1, HE7.2 and HE7.3 have superseded Policies SS1, UD1, UD2 and T22 referred to in the reasons for refusal. 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

4. The main issues are:
 - whether the proposed development would preserve or enhance the character, appearance or significance of the Nascot Conservation Area (CA); and
 - whether the level of parking provision is acceptable with regard to promoting sustainable transport modes.

Reasons

Character and Appearance

5. The appeal site is located within the CA therefore, I have a statutory duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.
6. The appeal site is within 'Area D' of the Nascot Conservation Area Character Appraisal, adopted 2015 (NCACA). The significance of Area D derives from Victorian houses that are predominantly detached or semi-detached and have a front garden that is planted with trees or other vegetation, providing a verdant character. The predominant boundary treatment along Park Road is of brick boundary walls of varying heights abutting the back edge of the pavement.
7. Surrounding the appeal site's garden to the front, side and rear is a brick wall that abuts the back edge of the pavement. The wall is of a considerable length fronting onto Park Road, Stamford Road and Cole Road and varies in height, with a lower section located between two ornately decorated pillars fronting Park Road. According to the NCACA, the wall comprises a 'larger wall with notable historic character (from public realm)'. The wall is obviously of some age and has some attractive features such as rounded coping stones and decorative brick detailing. Although it has been previously repaired and altered, it remains a prominent and defining historic feature within the CA. The use of the term 'larger wall' is not defined within the NCACA. However, in my opinion it would comply with this criterion due to its overall length. From the evidence before me, I therefore agree with the NCACA's assessment of the wall.
8. It is proposed to demolish a section of the lower wall fronting Park Road and part of the garden between the wall and No 25 would be laid to block paving to enable off-street parking. The proposed development would reduce the overall length and prominence of the historic wall, eroding the predominant character, appearance and significance of landscaped front gardens bounded by brick boundary walls found within this part of the CA. Furthermore, the NCACA states that front boundary walls are features that should be retained.
9. From the evidence before me, I am unable to confirm whether the front garden could be paved without planning permission. Nevertheless, even if this part of the proposal could be achieved without planning permission, the boundary wall would be retained and therefore the prominence of the paving within the street would be significantly reduced.
10. I acknowledge that there are examples of other properties along Park Road that do not have a front boundary wall and have created a parking area to the front of the property, including at No 27 Park Road. However, these examples are not the predominant characteristic of the surrounding area. Furthermore, these examples are not a reason to allow other developments that would harm the character, appearance and significance of the CA.
11. The proposed development would cause less than substantial harm to the significance of the CA. In accordance with paragraph 202 of the National Planning Policy Framework (NPPF), I must weigh the harm against the public benefits of the proposal. In doing so, paragraph 199 of the NPPF explains that

great weight should be given to the conservation of the designated heritage asset.

12. The use of permeable surfacing to the parking area to prevent surface water run-off is a neutral matter. The off-street parking area would provide private benefits for the occupiers of the flat. Future possible opportunities to provide electric vehicle charging points and an accessible level access into the ground floor flat do not form part of the appeal proposal and besides, would be private benefits for the occupiers of the flat. Therefore, the public benefits of the proposed development would not outweigh the less than substantial harm that I have identified to the CA.
13. Accordingly, in reference to the first main issue, I conclude that the proposed development would fail to preserve or enhance the character, appearance or significance of the CA. This is contrary to the aims of Policies SS1.1, QD6.2, HE7.1, HE7.2 and HE7.3 of the LP which, amongst other things, seek to avoid causing harm to the significance of heritage assets, and to preserve significant built and landscape features which contribute to the character and appearance of a Conservation Area. The proposed development would also be contrary to the NCACA and Chapter 12 of the NPPF.

Level of Parking Provision

14. The Council has indicated that the area of block paving is sufficient to enable the parking of two vehicles. This has not been disputed by the appellant. In addition, the appellant has confirmed that the flat has two bedrooms. Appendix E of the LP states that for a 2-bed dwelling there should be a maximum of one space within areas outside the defined Core Development Area, of which the appeal site is located.
15. I acknowledge that the provision of off-street parking could be more convenient and more secure than on-street parking, however, these matters have not been substantiated with evidence.
16. Therefore, in respect of the second main issue, the proposed number of parking spaces to serve the appeal property would not be acceptable in promoting sustainable transport modes. It would be contrary to Policy ST11.5 and Appendix E of the Local Plan, which state, amongst other things, that development proposals should only provide car parking where it complies with the car parking standards set out in Appendix E.

Other Matters

17. On the opposite side of Park Road from the appeal site is the Grade II Listed Church of St Andrew. I therefore have a statutory duty under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special regard to the desirability of preserving the setting of this listed building. Due to the distance between the listed building and the appeal site, the intervening landscaping, and the limited scale of the proposed development, I do not find harm to the setting of the Church of St Andrew.
18. I acknowledge the appellant's concern in respect of the structural integrity of the existing wall. However, limited evidence has been provided to substantiate this view, or that the wall cannot be repaired.

Conclusion

19. For the reasons given above, the proposed development would conflict with the development plan as a whole and there are no material considerations worthy of sufficient weight that would indicate a decision other than in accordance with it. The appeal is therefore dismissed.

A Berry

INSPECTOR