
Appeal Decision

Site visit made on 5 September 2023

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 September 2023.

Appeal Ref: APP/Y1945/D/23/3321698

102 Church Road, Watford, Hertfordshire WD17 4QB

- 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 D Birke against the decision of Watford Borough Council.
 - The application Ref 23/00169/FULH, dated 24 February 2023, was refused by notice dated 21 April 2023.
 - The development proposed is the erection of a single storey rear extension and alterations to side entrance.
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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 host building and the local area.

Reasons

3. The appeal property is a 2-storey detached dwelling of individual design that occupies a prominent corner plot at the junction of Church Road and Manor Road within a predominantly residential area, wherein buildings vary in size, style, and age. No 102 dates from the Edwardian period and is locally listed. As a historic building with architectural and visual merit, the appeal property is, in my view, a non-designated heritage asset (NDHA).
4. To my mind, the significance of No 102 as a NDHA is principally derived from its traditional style and largely unaltered form. Distinctive features of the main building include rendered walls, a dual pitched main roof, large chimneystacks, some first-floor windows inset into the roof slope, a 2-storey bay at one side and prominent gable ends facing Manor Road and the back garden. The fenestration of the main house is also notable, with generally modest-sized casement windows. Despite some later additions, such as a rear conservatory, the locally listed building entry notes that it is unusual to find such a well-designed building of this style in the town. It makes a significant and positive contribution to the character and appearance of the local area.
5. In weighing applications that directly and indirectly affect NDHAs, the National Planning Policy Framework (the Framework) states that a balanced judgement will be required having regard to the scale of any harm and the significance of the heritage asset. Policy HE7.3 of the Watford Local Plan 2021-2038 (LP) is consistent with this approach.

6. The proposal includes a single storey extension that would partly infill the space between one side of the house and the existing garage, with which it would connect. Part of the garage building would be demolished and removed, with the remainder altered, and a shed also relocated to make way for the new addition. It follows a different proposal to enlarge and alter No 102 that was refused planning permission on application and at appeal. The appellant considers that the new extension has been amended in the light of the concerns raised previously and that those objections have been overcome.
7. As the new extension would be nestled into a gap between existing buildings and shielded from public view by the house and garage, the appeal scheme would have no discernible effect on the character and qualities of the local street scene. Consequently, some features of No 102 that contribute to its significance as a NDHA would be unaffected. It is true that part of the new extension may become visible in the public domain if the garage to be retained is removed, as an interested party points out. As the existing garage is in a poor condition, that concern is not unfounded. However, the possibility may not come to pass, and removal of the entire garage forms no part of the scheme as it is shown on the submitted plans. I have therefore assessed the proposal on that basis.
8. The new addition would be simple in design. It would be smaller and lower in height than its counterpart that was recently dismissed at appeal. Compared to the size of the host building, the overall net increase in floor area resulting from the proposal would be modest. Even so, the depth of the new extension would be considerable with a wide elevation facing the garden and a sizeable flat roof that would visually accentuate its perceived scale and bulk.
9. When seen from the garden of No 102, the visually strong horizontal lines of the new roof, unbroken eaves and line of windows would conflict unsatisfactorily with the vertical emphasis of the side façade with its tall gable and 2-storey bay. The extensive glazing across the new elevation facing the garden, with a row of full-length single panels, would also relate uneasily with the style, detailing and size of windows in the main building. The expanse of new flat roof would also jar with the pitched main roof of the existing dwelling. For these reasons, the proposal would be a discordant, incongruous, and unwelcome addition to the host building. The proposal does not, therefore, overcome the concerns raised in relation to the earlier appeal scheme.
10. In my experience, residential extensions that contrast in design, form and materials to the host building can add visual interest to the property and contribute to diversity within the area. Glass can also give a building a light weight, translucent appearance, and introduce a contemporary twist to properties with a different architectural style. However, new buildings must fit into their context, which would not be achieved here, for the reasons given.
11. The introduction of a full height window to replace the existing door in the elevation facing Manor Road would be a conspicuous feature of the completed building. As an unfamiliar feature in buildings of this style and in stark contrast to other windows in the main façades facing the road, which are mostly shorter and arranged horizontally, this aspect of the appeal scheme would draw the eye. The new side door alongside this proposed window would also attract attention given the undue emphasis on the secondary entrance. By visually

- competing with the main entrance to the building facing Church Road, the proposal would introduce visual disharmony to the composition of the building.
12. I note that the external materials would match those of the existing dwelling. As that part of the existing garage to be removed is dilapidated and adds little positively to the character and qualities of the main house, there would be some visual benefit from its removal. However, for the reasons given, the proposed development would detract from the character and appearance of the locally listed building and undermine its significance as a NDHA. In doing so, the proposal would diminish the positive contribution of No 102 to the character and appearance of the street scene and the local area.
 13. Reference is made to other buildings in the local area that include side and rear extensions and to a recent appeal decision in Enfield. In the absence of further details in relation to these cases, I am unable to conclude that their circumstances are the same or very similar to those of the proposal. In any, event, each proposal should be assessed on its own merits, as I have done.
 14. The appellant states that a rear extension could be introduced through the exercise of permitted development (PD) rights. However, few details of a PD compliant scheme have been provided and I note that the site falls within an area where certain PD rights have been removed. Consequently, I attach no more than very limited weight to this consideration in support of the appeal.
 15. Once complete, the proposal would provide additional living space and enable the existing property to be remodelled to better suit the appellant's needs. It would allow other family members that have recently moved in to be accommodated more comfortably. The appeal scheme would also avoid the disruption and costs of relocating to another area and allow the appellant and his family to remain part of the local community. I also acknowledge the benefits of providing living space that can be used flexibly. The importance of this flexibility was emphasised during the COVID pandemic when restrictions were imposed to require people to work and educate their children at home. These are important matters and I have sympathy for the appellant's desire to enhance his family's living conditions. However, on balance, I find that the benefits of the proposal, taken individually and together, do not outweigh the identified harm to the significance of the locally listed building and to the character and appearance of the area.
 16. On the main issue, I conclude that the proposed development would cause significant harm to the character and appearance of the host building and the local area. Accordingly, it conflicts with LP Policies QD6.2, QD6.4, HE7.1 and HE7.3. These policies aim to ensure that development contributes to high quality design, and, in relation to NDHAs, enhance the building's character, setting and features and do not adversely affect the significance of the building.
 17. There would also be a conflict with the guidance within the Council's Residential Design Guide, which notes that extensions should respect the character, scale, and roof form of the host building. The appeal scheme is also at odds with the Framework, which states that development should be sympathetic to local character and add to the overall qualities of an area.

Other Matters

18. From the submitted evidence, I share the Council's opinion that there would be no harm to the living conditions of the occupiers of neighbouring properties. I note that others raise no objection. However, the lack of harm in this regard or interest from others does not necessarily mean that the proposed development is, therefore, acceptable.
19. The appellant criticises the Council on the grounds that its refusal is based on a subjective judgment. Matters of character and appearance inevitably are. Nor do I accept that the Council's approach was pernicky or more in line with what would be expected if the appeal property were a Grade 1 or II listed building. Heritage assets are a finite and irreplaceable resource and changes to the existing built form have a permanence that together justifies a proportionate and precautionary approach. When applied here, the planning balance is tipped against the proposal.

Conclusion

20. Overall, the development conflicts with the development plan, when read as a whole. There are no material considerations, including the policies of the Framework, which indicate that the decision should be taken other than in accordance with the development plan.
21. For the reasons set out above, and having regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR