



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: 21 September 2023

Appeal Ref: APP/Y1945/D/23/3323006

23 Shepherds Road, Watford, Hertfordshire WD18 7HU

- 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 R Jaffrey against the decision of Watford Borough Council.
 - The application Ref 23/00015/FULH, dated 11 January 2023, was refused by notice dated 2 March 2023.
 - The development proposed is the erection of a 2-storey rear extension and ground floor link to garage.
-

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 an attractive detached dwelling with a 2-storey building to one side within a predominantly residential area, wherein buildings are typically 2-storey and detached with some variety in their scale and design. It addresses Shepherds Road at an offset angle and is locally listed. As such, the appeal dwelling is a non-designated heritage asset (NDHA) in the light of the National Planning Policy Framework (the Framework).
4. In weighing applications that affect NDHAs, the Framework states that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Policy HE7.3 of the Watford Local Plan 2021-2038 (LP) is consistent with this approach.
5. To my mind, the significance of No 23 as a NDHA is principally derived from its general Arts and Crafts style and largely unaltered built form, which is particularly evident at the front of the building. When seen from the road, notable features include the asymmetric design and fenestration, a tiled roof with a long central front slope, brick walls, projecting gables, casement windows and attractive detailing. These features combine to give No 23 a distinctive style and there is a consistency to the front elevation that positively contributes to its heritage value. Overall, the appeal dwelling has a distinguished presence within the local street scene.

6. Despite replacement windows and changes to some openings, the rear elevation of No 102 retains a broad consistency in its appearance that is in keeping with the character of the front façade. It, too, includes features that contribute to the significance of No 23 as a NDHA, including the off-centre gable, the ground floor bays, and the first-floor windows inset into the roof slope as well as its brick finish and detailing. While the locally listed building entry refers only to the front of the building, and it includes some mistakes, the heritage value of No 23 is not confined to this aspect of the property. The significance of the locally listed building includes the rear elevation.
7. Along Shepherds Road, I saw that properties include features in the Arts and Crafts building style. As such, some qualities of the appeal dwelling may be relatively commonplace, as the appellant's Supporting Planning Statement notes. That said, the appeal dwelling has several attributes of architectural, visual, and historic interest and it adds to the broad cohesion to the appearance of the existing built form along Shepherds Road. In doing so, the property offers an interesting insight into the area's historical development as part of the Cassiobury Estate. In that context, I am unable to share the appellant's view that No 102 is an asset with low overall significance.
8. The proposal is to extend and alter the main house with a 2-storey rear extension and a ground floor link nestled in between the dwelling and the adjacent 2-storey building. A different scheme to enlarge No 23 was recently refused planning permission on application and at appeal. The appellant considers that the amendments made to the proposal overcome the objections that were previously raised. I also note that there are no listed buildings on or close to the site and that it does not fall within a conservation area.
9. The new rear addition would extend across the full width of the host building and project outwards by about 4-metres, thus completely removing the rear façade, which is an important original feature. While part the main roof would remain, the sections on either side would be enlarged and remodeled, and the flank walls of the main house would be lengthened. Taken together, the appeal scheme would significantly add to the scale and bulk of the building as well as elongating its built form and enlarging its footprint. In doing so, the appeal scheme would dominate the rear elevation and distort the scale and proportions of the building. The original form of the existing dwelling would be unduly compromised as a result. Given the relative size of the proposal to the dwelling, it could not reasonably be described as a subordinate extension to which the Council's Residential Design Guidance (RDG) refers.
10. The submitted design takes its cue from the front elevation of No 102 with a long central roof slope flanked by asymmetric gables. An off-centre curved ground floor bay would replicate a similar feature in the existing rear elevation. The new extension would be of matching external materials with a first-floor window inset into the roof and detailing to reflect a similar approach at the front. However, the introduction of full-length windows prominently placed on either side of the new bay would conflict unsatisfactorily with the modest pattern of openings in the original house.
11. For all these reasons and having carefully considered the appellant's Planning Supporting Statement dated June 2022, the proposed development would cause significant harm to the character and appearance of the locally listed building and unacceptably diminish its significance as a NDHA. In doing so, the

proposal would reduce the positive contribution of No 23 to the character and appearance of the local area, to its detriment.

12. Reference is made to other properties along Shepherds Road that include extensions, including No 7 that is locally listed, with some details provided. In the absence of further information 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 development should be assessed on its own merits, as I have done.
13. Once complete, the proposal would provide additional living space and enable the existing property to be adjusted to better suit the appellant's family needs. Those needs include providing safe access and movement within the property for disabled people and introducing a well-lit, open living area. The appeal scheme would make efficient use of the space available at the back of the house. I note that recycled materials would be used, where possible, and that the thermal performance of the building would exceed that required under Building Regulations. However, on balance, I find that the benefits of the proposal do not outweigh the harm that I have identified.
14. The proposed ground floor addition would partly infill the space between the house and garage. It would be relatively small, inconspicuous feature of the building. However, from my inspection of the plans, this element of the appeal scheme is not clearly severable from the rear extension, which is objectionable.
15. On the main issue, I therefore 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 QD6.1, 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, enhances the building's character, setting and features and does not adversely affect the significance of the building. There would also be a conflict with the Council's RDG and the Framework, which states that development should be sympathetic to local character and add to the overall qualities of an area.

Other matters

16. The extra living space provided by the extension is needed to accommodate, in part, family members who are disabled and children. Therefore, I have had regard to the Public Sector Equality Duty (PSED) contained in section 149 of the Equality Act 2010. The duty includes having regard to the need to eliminate discrimination, harassment, and advance equality of opportunity between those sharing relevant protected characteristics and those who do not. Whilst I am mindful of the needs of the family members, it has not been demonstrated that the scale and design of the proposal is specific to their needs, or that they cannot be met by a less harmful scheme. Therefore, the PSED considerations do not outweigh the identified harm. Having carefully considered these matters, I am satisfied that the impact of dismissing this appeal is proportionate and justified.
17. Interested parties raise several additional objections including its effect on the living conditions and human rights of others, trees, biodiversity, and precedent. These are important matters and I have considered all the submitted evidence. However, given my findings on the main issue, these are not matters that have been critical to my decision.

Conclusion

18. 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.
19. 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