



Appeal Decision

Site visit made on 3 October 2023

by A Caines BSc (Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th October 2023

Appeal Ref: APP/Y1945/D/23/3327120

42 Capel Road, Watford WD19 4AE

- 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 Carly Cook against the decision of Watford Borough Council.
 - The application Ref 23/00438/FULH, dated 15 May 2023, was refused by notice dated 26 June 2023.
 - The development proposed is a bay window and front porch.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposal on the character and appearance of the host building and the area, including whether it would preserve or enhance the character or appearance of the Oxhey Conservation Area (the CA).

Reasons

3. Capel Street is a mainly residential street within the CA. Dwellings are predominantly modest, late 19th century terraced or semi-detached properties although some modern infill development has taken place. The appeal property and its neighbours are subject to an Article 4 Direction made in 2013 which withdraws various permitted development rights for external alterations at the front, including the right to construct a porch.
4. The Oxhey Conservation Area Character Appraisal (OCACA), adopted in 2014, notes that the CA draws some of its special interest and significance from its small-scale streetscapes with a strong sense of enclosure created by the tight formation of terraced properties along the streets. It further notes that the vast majority of buildings date from the latter half of the 19th century and can be observed to have a consistency of architectural form, although there is variety in the townscape resulting from different types of buildings, such as public houses, and different forms of residential development.
5. The appeal property is a modest, late 19th century, two-storey mid-terrace house situated on the north side of Capel Street. It has a painted pebble dash finish with a simple fenestration arrangement containing wooden sash windows. The terraced row contains eight properties in total, two of which have traditional shopfronts at ground level. Whilst the terraced row has seen some minor alterations to fenestration and external finishes over time, including a small bow window at No 38 and a small glazed canopy over the front door at No 36, none of the properties feature porches or any other notable forward

extension, thereby preserving the original form of the front of the terrace and presenting a strong, consistent building line to the street. As such, the appeal property and terrace makes a positive contribution to the character and appearance of the CA. The fact that it has not been specifically highlighted as a positive building in the OCACA, or feature in any of the identified important views, does not diminish its positive contribution to the CA. Indeed, the OCACA acknowledges that no appraisal can ever be completely comprehensive and that the omission of a particular feature, building or open space should not be taken to imply that it is of no interest.

6. The proposal involves the addition of a bay window and porch set under a pitched roof canopy extending across the full width of the appeal property. Although the projection would be fairly modest, its width and design would not reflect or compliment the form and design of the original dwelling, and it would harmfully disrupt the composition and front building line of this terraced building. The use of similar external finishes would not be sufficient to visually integrate the development with the host building.
7. As evidenced by the appellant, there are a variety of porches and bay windows found elsewhere along the street. This includes at No 3 and No 5 which the proposal has sought to replicate. However, not all of these are positive features and it is reasonable to assume that the majority were carried out prior to the Article 4 Direction.
8. One of the problems and pressures highlighted within the OCACA is the loss of traditional architectural features due to unsympathetic alterations to the external elevations of buildings. For the reasons above, the proposal can be treated as such. Thus, whilst the wider street scene setting does provide context and relevance, the slow degradation of the architectural qualities of the area by such unsympathetic alterations does not justify granting planning permission in the context of the special attention that must be paid to the desirability of preserving or enhancing the character or appearance of the area as a whole.
9. Overall, I consider that the proposal would be a harmful addition to the host building and give rise to the incremental erosion of the significance of the CA as a whole. The magnitude of harm can be classed as less than substantial in the terms of the National Planning Policy Framework (the Framework). Nevertheless, in the context of the CA as a whole, it would fail to preserve or enhance its character and appearance. This is a matter of considerable importance and weight.
10. The benefit of the proposal would be largely private, relating to the enjoyment of the house by its occupants. Reference is made to potential reinstatement of the brick work elevation at first floor, but this would only be of limited benefit given most of the terrace is rendered, and in any event, could be carried out independently of the proposal. Therefore, I find no public benefits that would outweigh the harm I have found.
11. Thus, the proposal fails to satisfy the statutory requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990; parts 12 and 16 of the Framework; and policies HE7.1 and HE7.2 of the Watford Local Plan (2022), with regards to achieving good design and conserving and enhancing the historic environment.

Conclusion

12. The proposal conflicts with statutory requirements and the relevant policies of the development plan, and there are no material considerations which outweigh that conflict.
13. I therefore conclude that the appeal should be dismissed.

A Caines

INSPECTOR