



Appeal Decision

Site visit made on 20 November 2023

by J Pearce MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 December 2023

Appeal Ref: APP/Y1945/W/23/3324276

27 Devon Road, Watford, Herts WD24 4HP

- 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 Mrs Najma Rafiq against the decision of Watford Borough Council.
 - The application Ref 23/00184/FUL, dated 2 March 2023, was refused by notice dated 5 May 2023.
 - The development proposed is the removal of existing garage and construction of new one bedroom dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposal on the character and appearance of the area; and
 - whether the proposal would provide an acceptable level of parking having regard to promoting the use of sustainable transport modes.

Reasons

Character and appearance

3. The appeal site is to the rear of No 27 Devon Road (No 27), which forms the corner of Devon Road and Tavistock Road. Development within the locality, including within Tavistock Road, primarily consists of semi-detached two-storey dwellings set back with open frontages bounded by low-brick walls. This gives the area a spacious feel, particularly at the site where the host property forms part of a larger corner plot.
4. The proposal would replace an outbuilding with a detached dwelling to the rear of No 27 and accessed via Tavistock Road. The narrow, single-storey dwelling would be at odds with the scale and character of development within Tavistock Road. The dwelling would have a similar roof form and material finish to the dwellings in the locality, however the lack of detailing limits the quality of the design whilst the small scale would disrupt the pleasing rhythm of the development in Tavistock Road.
5. The dwelling would occupy part of the space between No 27 and No 1 Tavistock Road (No 1). The access to the allotments would ensure appropriate spacing is retained between the dwelling and No 1. However, the size of the site is

significantly smaller than those of the surrounding properties and the dwelling would occupy a large proportion of the site. Its position immediately adjacent to the boundary with No 27 would make the dwelling appear cramped within its plot in contrast to the more spacious plots in the locality.

6. I acknowledge that the area includes buildings of different scales, including three-storey buildings at Devon Road and single-storey dwellings at Byron Avenue, Carisbrooke Avenue and Knutsford Avenue. However, the single-storey dwellings appear to be well-established and relate to the original development of the area. The appellant has referred to a development to the rear of 22 Eastfield Avenue. However, there are no details before me to verify that this is a separate dwelling and it is not readily apparent in views from Tavistock Road.
7. I conclude that the proposal would significantly harm the character and appearance of the area. The proposal therefore conflicts with Policies QD6.2 and QD6.4 of the Watford Local Plan (WLP), which seek high quality buildings that are of a scale and massing that relate to the local context and the National Planning Policy Framework (Framework), which requires the creation of high quality buildings and add to the overall quality of the area.

Parking

8. The proposal would include an area to the front of the site for on-site parking. Appendix E of the WLP sets out the car parking standards for the Borough, which requires a maximum of one parking space per dwelling outside of the defined Core Development Area.
9. The parking area is large and could accommodate more than one vehicle. However, the appellant has suggested that additional soft landscaping to the front could be provided to reduce the parking area, limiting the capacity to one vehicle. The suggested reduction in the parking area, which could be secured by condition, would ensure that the proposal would comply with the parking standards set out in Appendix E whilst the additional soft landscaping would represent a limited biodiversity enhancement.
10. I conclude that, subject to the inclusion of an appropriate condition to provide additional soft landscaping, the proposal would provide an acceptable level of parking having regard to promoting the use of sustainable transport modes. The scheme would therefore comply with Policies ST11.1, ST11.4, ST11.5, ST11.6, NE9.1 and NE9.8 of the WLP, which collectively require proposals to contribute towards sustainable and active travel behaviour, comply with parking standards and achieve a net gain in biodiversity.

Planning Balance

11. Paragraph 12 of the Framework confirms that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. The proposal is not in accordance with the aforementioned policies of the WLP, with the associated conflict reflecting harm to character and appearance of the area. The development conflicts with the development plan as a whole and should be refused unless other material considerations indicate otherwise.
12. The most recent Housing Delivery Test indicates that the delivery of housing within the Borough was substantially below (less than 75% of) the housing

requirement over the previous 3 years. The Council's statement concedes that the delivery of housing stands at 48%.

13. Paragraph 11 d) of the Framework states that in these circumstances, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
14. The proposal would make a positive contribution to housing supply with associated social and economic benefits during the period of construction and once the dwellings are occupied. However, the contribution of one additional dwelling to meeting housing need in Watford through a more efficient use of land in an urban area and the associated benefits are limited by the scale of development proposed.
15. Subject to an appropriate condition for additional landscaping to the front of the site, the proposal could provide enhancement in respect of biodiversity. However, given the small scale of the site, the level of enhancement would be minimal.
16. In the particular circumstances of this case, I have concluded that the proposal would have a significantly harmful effect on the character and appearance of the area and would conflict with the relevant policies of the development plan and the Framework. The adverse impacts would therefore significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework as a whole. Therefore, the proposal would not benefit from the presumption in favour of sustainable development at paragraph 11 d) of the Framework.

Conclusion

17. The proposal conflicts with the development plan when considered as a whole. The material considerations in this case do not indicate that a decision should be made otherwise than in accordance with the development plan. For the reasons given above I conclude that the appeal should be dismissed.

J Pearce

INSPECTOR